

CONFIDENTIAL.

(5008.)

PART VII.

F.O.
403

FURTHER CORRESPONDENCE

RESPECTING THE

AFFAIRS OF NORTH AFRICA.

52

April to June 1884.

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CONFIDENTIAL.

Further Correspondence respecting the Affairs of North Africa.

PART VII.

No. 1.

Sir S. Lumley to Earl Granville.—(Received April 1.)

(No. 46.)

My Lord,

Rome, March 21, 1884.

I HAVE the honour to transmit herewith to your Lordship a Green Book, lately presented to the Italian Parliament by the Ministry for Foreign Affairs, and containing a collection of despatches on the suspension of Consular jurisdiction in Tunis.

These despatches range in date from the 3rd June, 1882, to the 26th January, 1884. A great part of the discussion passed in London between your Lordship and the Italian Ambassadors, General Menabrea and Count Nigra, or M. Catalini in their absence, the Italian Minister being anxious to act in unison with Her Majesty's Government, and finding no marked difference of opinion between your Lordship's views and his own.

Besides the correspondence exchanged between London and Rome, in regard to which nothing need be said, there are a few communications with the Cabinets of Berlin, Vienna, and St. Petersburg, and even with those of Madrid and The Hague, in order to learn their views; some Consular Reports from Tunis, and the records of M. Mancini's direct negotiations with the French Government on the subject.

It does not appear to be necessary to call attention to any but these last, nor of them to more than No. 70, p. 69; No. 97, p. 97; No. 129, p. 134; No. 143, p. 147; and No. 177, p. 194.

The first, No. 70, is a Memorandum expressing the views of the Italian Government upon the question, presented by M. Mancini to the French Ambassador, M. Decrais, the 18th July, 1883.

The second, No. 97, is a counter-Memorandum communicated to M. Mancini by the Marquis de Reverseaux, the 15th September, 1883.

The third, No. 129, is a note from the French Minister for Foreign Affairs to M. Decrais, communicated by the latter.

The fourth, No. 143, is a note from M. Decrais to M. Mancini, inclosing a fresh Memorandum from the French Government.

The fifth, No. 177, is the text of a Protocol signed at Rome on the 25th January of the present year by M. Mancini and M. Decrais.

All these papers are in French.

I have, &c.

(Signed) J. SAVILE LUMLEY.

No. 2.

Mr. Reade to Earl Granville.—(Received April 1.)

(No. 11.)

My Lord,

Tunis, March 22, 1884.

WITH reference to my past correspondence on the subject of the violent seizure and illegal occupancy of land belonging to General Benayad by a Frenchman named

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Maréchal and other pretending claimants, notwithstanding that the property in dispute was, at the time of its seizure, under the immediate and effective protection of Her Majesty's Consulate-General, and with reference more especially to my despatch No. 9 of the 13th instant, I have the honour to report the occurrence of a further act of aggression of the same kind perpetrated upon a part of Benayad's property which adjoins the plots that had, as already stated, been taken from him.

Benayad has of course appealed to the French Tribunals for redress, and as I have had no occasion to interfere with the proceedings that are being taken, I should not have felt it my duty to bring the matter to your Lordship's knowledge were it not for the special circumstances under which the outrage was committed.

Those circumstances may be described as follows:—

1. The occurrence took place almost immediately after withdrawal of the guards I had placed upon the property for its protection. An explanation with regard to this withdrawal of guards is given in my despatch No. 9 of the 13th instant.

2. The aggressor, in the present instance, is a British subject named Vincenzo Mifsud, and one of those who signed the Petition which a certain number of Maltese, headed by Mr. Pisani, the Pro-Consul, addressed to Her Majesty's Government in favour of French jurisdiction being substituted for the jurisdiction of the Consular Courts, and which I forwarded to your Lordship's Office with my Report No. 41 of the 7th April last.

3. The aggressor is, at the same time, one of the principal shareholders and directors of the tobacco monopoly, and, as such, occupies a quasi-official position in the Revenue Department of this Government.

4. The contiguity of the tobacco dépôt, and the large number of men employed in it, afforded facilities of an exceptional character for laying violent hands on the property, and overwhelming the small force Benayad had placed there for its protection, as soon as the Consulate guards were withdrawn.

5. When the invasion of the ground took place, the aggressor, by his own admission, had, only a few days previously, bought it from parties who had, for some time past, appeared as rival claimants to the property, but never ventured to take it by force.

6. Judicial proceedings having been instituted before the French Tribunals, with a view to determine the proprietorship of some adjoining plots which, although included in the same title-deed with the ground now taken, have, as in the present instance, been forcibly invaded and occupied, the aggressor could very well have awaited the issue of those proceedings as applicable to his case, no less than to those for which they were undertaken. That he did not do so leaves room for the inference that his procedure was guided by some other object than the mere assertion of his alleged rights.

The case having, as already stated, been taken for adjudication to the French Courts, any further comment from me would be superfluous. I have felt, however, that some other version of this affair may possibly reach your Lordship's Office from another source, and trust I shall on that account be pardoned for what might otherwise appear an unnecessary intrusion.

I have, &c.
(Signed) THOS. F. READE.

No. 3.

Messrs. McNaught, Pearse, and Middleton to Earl Granville.—(Received April 1.)

My Lord,

9, Crosby Square, March 31, 1884.

WE have the honour to acknowledge receipt of your Lordship's letter of the 27th, inclosing a copy of the translation of the reply of the Moorish Government to the representations made by Her Majesty's Minister at Tangier, by which we note the conditions imposed upon the imprisoned Moors, servants of the Company, in order to obtain their release.

We have lost no time in communicating the offer of His Shereefian Majesty to the relatives of those unfortunate captives resident in Mogador, and we trust they may soon regain their freedom. We may here mention that they were never engaged in the project of exporting minerals from Sûs, but solely employed as servants of the Company in a general manner.

Without going fully into each paragraph of Cid Mohammed Bargash's despatch, we must again point out to your Lordship that an illegal act has undoubtedly been com-

mitted by the Moorish Government in seizing the goods of the Company, which were most positively landed on territory beyond the jurisdiction of the Sultan, and we have proofs that the officers of the Sultan who visited the Company's settlement made no attempt whatever to prevent the landing of the goods, in fact they actually bought goods for which they are still indebted.

Had the slightest opposition been shown, or any proof of the Sultan's authority been tendered, the gentlemen in charge of the expedition had orders to leave the coast without disembarking his cargo.

The most convincing evidence has been laid before your Lordship relative to the independence of the Sûs tribes, and which have so far been unchallenged, so that we are at a loss to understand why the question of compensation is allowed to remain so long in abeyance, when we believe a strong representation to the Moorish Government citing the proofs of the independence of Sûs would bring the matter to a satisfactory issue.

We have, &c.
(Signed) MCNAUGHT, PEARSE, AND MIDDLETON,
Agents to the Sûs and North African Trading Company (Limited),
in Liquidation.

No. 4.

Earl Granville to Mr. Reade.

(No. 14.)

Foreign Office, April 1, 1884.

Sir,

WITH reference to your despatch No. 9 of the 13th instant, I inclose, for your information, copy of a letter which has been addressed to the Greek Minister in this country,* inquiring how his Government propose to deal with the case of the forcible invasion by a Greek subject, named Gringa, of a plot of land at Tunis belonging to General Benayad, a British subject.

The documents inclosed in your above-mentioned despatches are retained here for the present.

I am, &c.
(Signed) GRANVILLE.

No. 5.

Sir J. Pauncefote to the Law Officers of the Crown and Dr. Deane.

Gentlemen,

Foreign Office, April 1, 1884.

WITH reference to my letters of the 17th, 12th, and 10th ultimo, I am directed by Earl Granville to transmit to you, for consideration, with the papers on the subject now before you, a note from the French Ambassador at this Court,† supporting the contention that the claim of the Franco-English Tunisian Esparto Fibre Company ("Compagnie Alfatière") is not one for reference to arbitration under the arrangement recently made between Her Majesty's Government and the Government of France, and I am to request that his Lordship may be favoured with a report upon this matter at your early convenience.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 6.

Earl Granville to Sir P. Brailas Arméni.

M. le Ministre,

Foreign Office, April 1, 1884.

IN January last I requested Her Majesty's Chargé d'Affaires at Athens to call the attention of your Government to the circumstances under which a plot of ground at Tunis, belonging to General Benayad, a British subject, had been invaded and forcibly occupied by a Greek subject named Gringa, notwithstanding the presence of guards

* No. 6.

† See Part VI, No. 166.

placed on the grounds by the British Consulate for the protection of the property. Mr. Reade, Her Majesty's Agent and Consul-General at Tunis, has been unable to obtain redress from the Greek Consul, and I understand that on the occasion of his recent visit to England he had the honour of a personal interview with you on the subject.

I inclose, for your inspection, the original documents transmitted by Mr. Reade, from which it would seem that the forcible seizure of the ground while in the possession and custody of guards placed there by the British Consulate was effected with the knowledge and sanction of the Greek Consul, one of whose janissaries was present.

I have no reason to doubt the accuracy of the facts reported by Mr. Reade, and as they constitute a grave cause of complaint by him against the Greek Consulate, I regret to find, M. le Ministre, that no action whatever appears to have been taken by your Government in this matter up to the present time.

I do not suppose that they countenance such a proceeding as that complained of, or that they are without the necessary authority to afford proper redress, by restoring possession of the ground to the guards placed there by the British Consul for its protection, and by insisting that the Greek claimant should vindicate his rights, if he has any, before the competent Tribunal.

I have therefore the honour to request, M. le Ministre, that you will be good enough to draw the attention of your Government to this case, with a view to its settlement, without further delay, in a manner consistent with their high sense of justice, and with the consideration which is due to the representations of a friendly Power.

I shall be obliged if you will kindly return the inclosed original documents at your convenience.

I have, &c.
(Signed) GRANVILLE.

No. 7.

Sir J. Drummond Hay to Earl Granville.—(Received April 2.)

(No. 24. Secret.)

My Lord,

Tangier, March 24, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 7 of the 8th instant, transmitting the substance of a despatch from Count Nigra to M. Mancini, in which it is suggested that some steps might be taken by the Governments of Great Britain, Italy, and Spain to represent to the French Government the complications which might ensue from the action of their Representative at Tangier.

With reference to this subject I have now the honour to transmit the translation of a secret letter addressed to me by the Vizier Mukhtar, by order of the Sultan, in which His Shereefian Majesty solicits the friendly action of Her Majesty's Government to "ward off the danger which threatens His Majesty's dominions, and stop the hand of the enemy from being laid on them."

The Vizier does not mention who is the enemy, but there is no doubt that France is the Power alluded to. The Vizier observes that it is needless for him to make known to me what has occurred, as "it is manifest to all."

The proceedings of M. Ordega in affording protection to the Great Shereef of Wazan, and to his family and dependents, contrary to Treaty, and in having insisted that French citizens should be allowed to travel in the lawless country of Reef, where the Sultan has little or no power of control, and the general menacing and dictatorial attitude which M. Ordega assumes in treating with the Sultan's Ministers or Governors, or with other local authorities, have no doubt given rise to grave apprehensions on the part of the Sultan, that the object of the French Government is to seek for a pretext for breaking off relations, and finally to take possession of the country.

In the passage where the Vizier states that Regulations are infringed he no doubt refers to the stipulations of the Convention of Madrid, which has become a dead letter in every respect, the French having set the example in showing a total disregard for the terms of the stipulations, and their example having been followed by the Representatives of other Powers, Great Britain included, who claim to be placed on the footing of the most favoured nation. The Regulations about taxation are not carried into execution, and the Moorish authorities dare not enforce them so long as foreign Consular officers, especially the French, refuse to allow that persons under their protection be required to pay taxes.

At the meetings of the foreign Representatives at Tangier, both before and after the Madrid Conference, it will be found by the language I then held that I foresaw the evils which have ensued from the extension of protection, and I foretold that it would finally tend to subvert all government in this country.

On the 20th instant M. Ordega dispatched M. Blondel, one of the Secretaries of Legation, and the Chancellor, M. Bertrand, to Wazan, to inquire into the claim of the Shereef on account of loss of property there caused by the proceedings of Governor Cid Mohammed Gebbar: these officers have been directed to take note of the names of all the dependents, and of the lands of the Shereef, not only at Wazan, but in other parts of the Gharb. It is reported that they have been authorized to proceed to the Moorish Court if proper attention is not shown to the demands they may put forward.

I learn confidentially from a reliable source that the Shereef talks openly of arming his numerous followers, and of resisting any attempt of the authorities to control his dependents. He declares that he has accepted French protection, as he foresees the downfall of the Sultan's power, and that this country must ere long fall into the hands of France, and that he will do all in his power to bring about that catastrophe.

Though the French Government will, no doubt, continue to afford satisfactory assurances to Her Majesty's Government regarding their desire to maintain the *status quo*, and not to give rise to complications by their action in Morocco, I will not conceal from your Lordship that I cannot believe in their sincerity so long as they allow, and apparently encourage, their Minister and officers to show an utter disregard for the independence of the Sultan and the authority of his officers. At any time, when least expected, it is to be apprehended that M. Ordega may take some extreme step from which the French Government will declare they cannot recede, knowing that public opinion in France would support them.

Under these circumstances, I venture to submit that no time should be lost in coming to an understanding with other Powers regarding the maintenance of the integrity and independence of Morocco, occupying by its northern sea-board the passage to the Mediterranean for the shipping and commerce of all nations. If the Powers of Europe and America entered into an international arrangement by which the integrity of Morocco would be upheld and the independence of its Sovereign maintained, that would be a fitting time to require, and even to insist, that the Sultan and his Government should introduce reforms and improvements for the benefit of the civilized world, and open to foreign enterprise the great resources of this country, rich in agricultural produce and minerals.

I have not as yet acknowledged the receipt of the letter of the Vizier, but when I do so I shall simply request him to inform the Sultan that I have transmitted to Her Majesty's Government a translation of his communication.

It occurs to me to mention that it might be possible, if the Sultan was led to apprehend that neither Great Britain nor other Powers are disposed to come to his relief by taking steps to check the action of France, which has tended to paralyze his authority and to subvert all government in the country, His Shereefian Majesty, losing all hope, may come to the conclusion that his best policy will be to seek for the Protectorate of France, and thus remove for a time the prospect of his dominions being taken possession of and annexed to Algeria.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 7.

The Vizier to Sir J. Drummond Hay.

(Translation.)

(Secret.)

(After usual compliments.)

I Jumada 15, 1301 (March 14, 1883).

YOU are aware, O esteemed friend, that famine, caused by years of dearth, had brought great distress and misery upon God's creatures in these dominions; and you must also know how all Regulations have been infringed, and in treating affairs all authority has been disregarded, until patience is lost, and it only remains for the enemy to lay his hands (upon the country). It is needless to make known to you what has occurred; it is manifest and known to all.

Our Lord the Sultan has ordered us to address you this secret communication, in order that you may write to your powerful Government and inform them of the grave prejudice which is suffered, and that you may solicit, in the name of His Shereefian

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Majesty, that steps be taken to ward off the danger that threatens these dominions, and stop the hand of the enemy being laid on.

His Shereefian Majesty is not inclined to seek for counsel in this matter except from them (Her Majesty's Government), as being the most friendly of friends, the most reliable of those to be relied on, and the most judicious, with whom counsel can be taken. How could it be otherwise? for the English were always the true and friendly allies of His Majesty's ancestors.

Let us know what you may write upon this subject.

Finished I Jumada 15, 1301.

(Signed) MOHAMMED BEN ALARBI BEN EL MUKHTAR.

No. 8.

Mr. Nicolson to Earl Granville.—(Received April 2.)

(No. 30.)

My Lord,

Athens, March 27, 1884.

WITH reference to your Lordship's despatch No. 1 of the 2nd January last, I have the honour to report that Mr. Egerton addressed a note on the 14th January to the Greek Government in regard to the forcible occupation by a Greek subject of a plot of ground in Tunis belonging to General Benayad. On the 18th January M. Contostavlos replied that he had already received a Report from the Greek Consul on the subject, but as it materially differed from the statements made by Mr. Reade, he would call on M. Vassiliades for some further explanation.

I have now the honour to transmit copy of a note, with its inclosures, which I have received from M. Contostavlos, giving the version of the Greek Consul of the circumstances attending the occupation of the property by M. Gringass.

I have, &c.

(Signed) A. NICOLSON.

Inclosure 1 in No. 8.

M. Contostavlos to Mr. Nicolson.

Monsieur,

Athènes, ce 14 (26) Mars, 1884.

ME référant à mon office en date du 18 (30) Janvier, concernant le terrain contesté à Tunis entre le Général Benayed et le sujet Hellénique Gringass, j'ai l'honneur de vous faire connaître que je viens de recevoir les informations que j'avais demandées au Consul de Sa Majesté par rapport à cette affaire, et je m'empresse de vous en donner communication.

M. Vassiliadis commence par réfuter l'assertion que le Sieur Gringass, à la tête d'une masse d'individus, aurait envahis le terrain contesté et en aurait expulsé les gardiens de vive force; ainsi qu'il résulte d'un certificat que vous trouverez ci-joint en copie, aucun gardien n'avait été trouvé sur les lieux au moment où les ouvriers de M. Gringass avaient commencé à y construire.

Des gens appartenant à Mr. Benayed se sont présentés ensuite et ont entrepris d'empêcher le travail de ces ouvriers, mais ceux-ci, ainsi que les deux frères Gringass, ont refusé de suspendre les travaux de construction sur un terrain, disaient-ils, qui leur avait été cédé légalement par le Dr. Campaniolo. C'est alors seulement que le dit Consul, ayant été informé qu'une rixe entre les deux partis était imminente, s'est décidé à envoyer sur les lieux son cavass, dans le but de prévenir quelque accident fâcheux, et a fait connaître aux gens de Mr. Benayed que le Consulat Hellénique était prêt à prendre en considération toute demande légale concernant le terrain en question.

M. Vassiliadis déclare en outre qu'il est tout à fait inexact que ce terrain était en la possession de Mr. Benayed jusqu'au 10 Décembre de l'année dernière. Ainsi qu'il résulte d'une déclaration de M. Campaniolo que vous trouverez aussi ci-jointe, ce terrain était depuis longtemps la propriété de M. Gringass, et c'est M. Campaniolo lui-même qui lui en avait cédé la possession. M. Vassiliadis conteste aussi l'exactitude de l'assertion de M. l'Agent Politique de la Grande-Bretagne, qui prétend que M. Vassiliadis a refusé de reconnaître la compétence des Tribunaux du pays pour l'arrangement de l'affaire en question. C'est au contraire lui-même qui, verbalement d'abord, et ensuite par son office adressé à Mr. Reade, avait déclaré que si Mr. Benayed

croyait avoir le droit de revendiquer la propriété du terrain il n'avait qu'à s'adresser à qui de droit, c'est-à-dire aux Tribunaux du pays, et que s'il désirait attaquer comme nulle la concession faite à M. Gringass par M. Campaniolo, il devait s'adresser au Tribunal du Consulat Hellénique.

M. Vassiliadis regrette que le sens de ces paroles ont été mal interprété par Mr. Reade, et que celui-ci ait cru devoir formuler des plaintes contre lui, en portant sur le terrain diplomatique une affaire de nature purement judiciaire.

Il ajoute que ce n'est pas la première fois que Mr. Benayed a cru avoir été attaqué dans ses droits de propriété, vu que dans une circonstance analogue, ayant porté plainte devant le Tribunal du Consulat de France pour des terrains cédés à M. Gringass, et attendant au terrain dont il s'agit, par les sujets Français Maréchal et Delsol, sa demande avait été rejetée.

Veillez, &c.

(Signé) CONTOSTAVLOS.

Inclosure 2 in No. 8.

Declaration of Workmen respecting General Benayad's Property at Tunis.

NOI sottoscritti, operai Italiani, attestiamo qualmente fummo invitati dal Signor Giovanni Cringa, suddito Elleno, per lavorare nella costruzione di un magazzino in un certo terreno sito nella via Regia dei Tabachi, dove siamo recati il giorno 9 ultimo Dicembre e col permesso della Municipalità di Tunisi incominciammo a scavare i fondamenti. Dichiariamo però che quando principiamo tali lavori di fondamenti non vi era presente nessun custode onde custodiare al suddetto terreno per impedirci, ma all'indomani, quando averamo già scavati tutti i fondamenti, vedevamo avvicinarsi due Maltesi, i quali volerano impedirci, dicendo che il suddetto terreno apparteneva al Generale Benayad, ed i fratelli Giovanni e Georgio Cringa, che erano presenti, si opposero ai suddetti Maltesi, dicendogli che il terreno apparteneva in vece ad essi, avendolo legalmente comperato dal Signor Campaniolo, e siccome in seguito del contrasto dei Maltesi i dei fratelli Cringa potera succedere qualche urto, fu avvisato il Consolato Ellenico che spedì sul posto un suo Giannizzero, il quale fece tranquillizzare Vaffare, dicendo che se hanno delle pretensioni contro i fratelli Cringa, possono dirigersi al Consolato Ellenico. Dichiariamo inoltre conscienziosamente che nessuna invasione fecimo tanti noi come anche i fratelli Cringa nel suddetto terreno.

Tunisi, 17 Febbrajo, 1884.

Io approvo i sopra scritti detti, come capo maestro, in fede di chi mi sottoscrivo di mio proprio pugno.

Data ut supra.

(Firmato) SEBASTIANO SALMEDI.

Testimonii:

(Firmato)

GIOVANNI BARSOTI.
SALVATORE OLANDO.

Inclosure 3 in No. 8.

Contract of Lease of General Benayad's Property at Tunis.

TUNISI, venti Novembre, mille otto cento ottanta tre. Per mezzo della presente privata scrittura tra il Signor Dottore Giovanni Campaniolo, Italiano residente in Tunisi, da un lato, ed il Signor Giovanni Cringa, commerciante Ellenico, pure residente in Tunisi, da un altro lato, fu patuito, convenuto ed accettato quanto segue. Il Signor Dottor Giovanni Campaniolo dà al Signor Giovanni Cringa a titolo di enzel o locazione perpetua un terreno della estensione di metri quadrate cento settanta sei, posto dietro la Regia dei Tabachi e confinante da un lato con la proprietà dell'Avvocato Pace, e dall'altro lato con quella del Signor Delsol, impiégato telegrafico Francese; detto terreno ha undici metri di facciata e sedici metri di profondità.

Il canone annuo enfiteutico è stabilito a piastre Tunisine oro o argento mille cento ventuna, che il Signor Cringa pagherà al domicilio del Signor Campaniolo, il primo giorno di ciascun anno a decorrere dal primo Gennajo mille ottocento ottanta quattro, e

così di seguito dovrà pagare la stessa somma puntualmente al cominciare di ciascun anno.

Il contratto di enzel, sebbene sia già attualmente accettato e concluso, avrà principio al primo Gennajo, mille ottocento ottanta quattro.

Il Signor Cringa dovrà costruire sul detto terreno uno stabile a pianterreno della estensione del terreno enfiteutico.

Le fondamenta dovranno essere stabilite per modo di potere supportare una costruzione di due o più piani qualora ne fosse il caso; a tale scopo dunque la profondità e lo spessore dei muri dovranno avere quelle dimensioni prescritte dall'arte di costruzione ed infine inerenti altresì alla natura del suolo. A scanso di ogni ulteriore contestazione si dovrà omettere dalle parte contraente un collando fatto da un ingegnere, perchè tutte queste condizioni sieno adempiute e perciò il collando dovrà aver luogo prima della costruzione dei muri di elevazione.

Compiute i lavori di tutta la costruzione dovrà essere ammesso un secondo collando fatto da un ingegnere per constatare la solidità dell'edificio, e se le condizioni enunziate furono tutte soddisfatte. Quindi non saranno ammesse maggiori di sei metri qualora al pianterreno si volesse stabilire dei grandi saloni, onde ai piani sovrastanti sia possibile senza pregiudizio dell'edificio stabilire le disposizioni per una casa d'affitto.

Il Signor Cringa potrà per conto proprio costruire sopra il pianterreno, però si obbliga di non vendere ad altri l'aria dei magazzini che sarà per innalzare prima di averne prevenuto il Dr. Campaniolo e dovrà darne così a lui la preferenza piuttosto che a terze persone nel caso che volesse farvi delle costruzioni. Tale impegno avrà vigore per quattro anni della data d'oggi, dopo di che il Signor Cringa sarà libero di disporre al suo bell'agio di tutta la proprietà.

Nel caso che il Signor Cringa permettesse al Dr. Campaniolo di costruire un primo piano e successivi, come si è detto, dovrà per corrispettivo ridurre della metà il prezzo di enzel pagato dal Signor Cringa.

Il Signor Cringa nel caso che cedesse l'aria del primo piano al Dr. Campaniolo dovrà lasciare lo spazio necessario per la collocazione di una conveniente scala che dovrà servire per accedere al piano superiore.

Il Signor Cringa potrà cedere ad altri il terreno preso ad enzel, ma rimarrà sempre egli responsabile del puntuale pagamento e dell'adempimento della sopra dette obbligazioni.

Il Dr. Campaniolo potrà liberamente cedere o vendere ad altri il proprio diritto di enzel, e dietro semplice notificazione fatta al Signor Cringa, questa dovrà riconoscere il nuovo proprietario come lo era per innanzi il Dr. Campaniolo.

In caso di eventuali contestazioni, il Signor Cringa sarà tenuto a rifondere al Dr. Campaniolo le spese tutte pei danni che ebbe a soffrire si direttamente che indirettamente.

Tutte le spese, tasse ed altro attenenti al terreno ed egli stabili futuri, eccetto il solo prezzo enfiteutico originario dovuto dal Signor Dr. Campaniolo al Municipio di Tunisi, dovranno essere sopportate dal Signor Cringa interamente.

Il Dr. Campaniolo garantisce al Signor Cringa il libero e pacifico godimento del terreno per tutte le pretensioni che altri vi potrebbe avere accampando diritti preesistenti al giorno della vendita ad enzel.

Fatto in doppio originale ad un solo effetto di legge, da essere seguito in tutte le sue parti in buona fede viene accettato e firmato.

(Firmato) DR. GIOVANNI CAMPANIOLO.
GIOVANNI KRIGNAS.

Testimonii:
(Firmato) G. VIGNOLI.
L. POLITY.

No. 9.

Earl Granville to Sir R. Morier.

(No. 41. Secret.)

Sir,

Foreign Office, April 2, 1884.

I TRANSMIT to you herewith, for your information, copy of a despatch from Her Majesty's Ambassador at Berlin relative to France and Morocco.*

I am, &c.
(Signed) GRANVILLE.

* Lord Ampthill, No. 76, Secret, March 25, 1884.

No. 10.

Mr. Surtees to Earl Granville. — (Received April 3.)

*The Franco-English Tunisian Esparto Fibre Supply Company, Limited,
72, Bishopsgate Street, London, April 3, 1884.*

My Lord,

MR. HOUGH, who was the intermediary between this Company and M. Duplessis, and therefore an important witness in connection with the claim on the French authorities at Tunis, has had business waiting him abroad for some days, but has been keeping himself at the disposal of the Company.

As his engagements abroad are now pressing upon him, and he is anxious to make such arrangements as will enable him to be at Tunis when required, I take the liberty of asking your Lordship if you can inform me when it is likely that the Company's case will go before the Arbitrators.

I have, &c.
(Signed) R. W. SURTEES, Secretary.

No. 11.

Earl Granville to Sir S. Lumley.

(No. 65.)

Sir,

Foreign Office, April 3, 1884.

THE Italian Ambassador called upon me this afternoon, and informed me that the Italian Minister at Tangier reported the almost open rebellion of the Shereef of Wazan under the protection of France.

It appeared, his Excellency said, that the Shereef and all his family and dependents had been taken under French protection. They amounted in all to a number of persons out of all proportion to the number which, according to the Convention of Madrid of July 1810, it was permissible to each Power so to protect.

I am, &c.
(Signed) GRANVILLE.

No. 12.

Earl Granville to Sir S. Lumley.

(No. 66. Confidential.)

Sir,

Foreign Office, April 3, 1884.

THE Italian Ambassador, in conversing with me on the state of affairs in Morocco this afternoon, told me confidentially that the Spanish Minister for Foreign Affairs had informed the Italian Minister at Madrid that the Sultan of Morocco had become much alarmed by the manner in which the Shereef of Wazan was taking the airs of a Pretender at the instigation of France, and that he appeared to be inclined to throw himself upon the protection of France.

The Spanish Foreign Minister added that in order to avoid the risk of an eventual rupture and serious complications it would, in his opinion, be well that England, Italy, and Spain should come to an understanding, firstly, to endeavour to maintain the *status quo* in Morocco; and, secondly, to assert the competency of Europe to interfere in the event of the *status quo* being threatened.

Count Nigra added that the information received from the Italian Minister at Tangier tended to confirm these views.

The Italian Government, his Excellency said, were desirous of coming to an understanding with Her Majesty's Government on the subject. They would prefer that we should take the initiative, but they would be ready to join in taking an attitude which should make clear to the French Government the complications and dangers to which they would expose themselves by any attempt to interfere with the *status quo* in Morocco, and in endeavouring to obtain from that Government an explicit declaration confirming the assurances which had already been given to me, although in general terms, by M. Waddington, and of which I had confidentially informed his Excellency.

I told M. Nigra that the matter was one of a delicate character; that I could not give him an answer at once; that I did not see why this country should take the initiative. But, in the meanwhile, I would ask M. Waddington himself whether, after reporting to

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M. Ferry the substance of our confidential communication, M. Ferry had confirmed the assurances which M. Waddington had personally given me.

I am, &c.
(Signed) GRANVILLE.

No. 13.

Sir P. Brailas Arméni to Earl Granville.—(Received April 4.)

Milord,

Londres, le 22 Mars (3 Avril), 1884.

J'AI eu l'honneur de recevoir la note que votre Excellence m'a adressé le 1^{er} de ce mois, et les documents qui y étaient annexés.

Je me suis empressé de transmettre aujourd'hui même à son Excellence le Ministre des Affaires Étrangères les pièces ci-dessus et de recommander à sa prompte considération l'affaire en question.

Veillez, &c.
(Signé) P. BRAÏLAS ARMÉNI.

No. 14.

Mr. Reade to Earl Granville.—(Received April 4.)

(No. 11.)

(Telegraphic.)

Tunis, April 4, 1884.

SIR ADRIAN DINGLI arrived here yesterday, and M. de Blignières, the Arbitrator selected by French Government, arrived the day before.

No. 15.

Sir R. Morier to Earl Granville.—(Received April 5.)

(No. 48. Confidential.)

My Lord,

Madrid, March 31, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 33 extending your telegram No. 2 of the 19th instant, which authorizes me to read part of one of your Lordship's despatches on the subject of Morocco to the Minister of State, and to inform you that the said cyphered telegram No. 2 has never reached me.

Having received no reply to my despatch No. 32 of the 6th instant, and your Lordship's despatch No. 123 of the 7th December last leaving me little option as to communicating correspondence on Moorish affairs to the Spanish Government, I have not deemed myself at liberty to speak to the Spanish Ministers on the subject, or in any way to acquaint them with the attitude taken up by Her Majesty's Government with regard to it, as made known to me in the detailed correspondence of which I have lately been favoured with copies.

I have now spoken to Señor Elduayen on the subject, and have learnt from his Excellency that the Marquis de Casa Laiglesia had been in communication with your Lordship on the question, and had apparently been told the same thing as Count Nigra reports having heard from your Lordship.

I received yesterday an urgent private note from Señor Elduayen, inclosing copy of a telegram he had just received, and of which I transmit the inclosed translation.

As I felt sure that, if the matter were of the urgency described, Sir J. Drummond Hay would have equally telegraphed to your Lordship, I did not deem it necessary to send on this telegram.

The Spanish Government are very much alarmed at the present state of affairs, and I do not doubt will instruct their Minister in London to make known to your Lordship their wishes as to the best way of meeting the present complication.

I have, &c.
(Signed) R. B. D. MORIER.

Inclosure in No. 15.

The Spanish Minister at Tangier to Señor Elduayen.

(Translation.)
(Telegraphic.)

Tangier, March 29, 1884.

ARTICLE VI of Madrid Convention violated in a manner which will render exercise of Muley Hassan's authority impossible. Attitude of Shereef of Wazan, to judge by his demonstrations and language, rebellious. French Commission assembled at Wazan have decided question between Shereef and Pasha Governor publicly, and in a manner incompatible with the sovereignty of Morocco and with existing Treaties. It is asserted at Fez that large forces are being collected in Algeria. Everything leads to the fear that the Sultan is threatened both within and without his dominions.

No. 16.

Viscount Lyons to Earl Granville.—(Received April 5.)

(No. 192.)

My Lord,

Paris, April 4, 1884.

With reference to my despatch No. 184 of the 1st instant, I have the honour to inform your Lordship that the debate on the Bill for the Financial Reorganization of Tunis (Projet de Loi ayant pour objet l'approbation de la Convention conclue avec le Bey de Tunis le 8 Juin, 1883), was concluded yesterday in the Chamber of Deputies, and the Bill passed. The Bill has still to go before the Senate.

Two additional Articles were agreed to by the Government and adopted. The first, which was proposed by M. Desson de St. Aignan, is to the effect that the Bey of Tunis cannot be authorized to contract a war except in virtue of a law passed by the French Chambers. The second, of which M. Floquet was the mover, provides that a report shall be made annually on Tunisian financial matters to the President of the French Republic, and communicated to the French Chambers.

M. Jules Delafosse blamed severely the Protocol relative to the abolition of Consular jurisdiction signed with Italy, and especially the clause relative to the punishment of death.

M. Jules Ferry, President of the Council and Minister for Foreign Affairs, described in the following terms the effect of the proposed conversion of the Tunisian debt:

"Le règlement de la dette Tunisienne, conclue en forme de Traité International, a eu pour résultat l'établissement d'une Commission Financière dont on vous a fait amplement connaître les attributions, les privilèges, le fonctionnement énergique et la véritable prépotence dans toutes les affaires de la Régence.

"Lorsque le Gouvernement, usant des pouvoirs que vous lui avez conférés, en approuvant la Convention, aura garanti l'opération de conversion qui fera de la dette actuelle une véritable novation, la Régence sera affranchie de la domination de la Commission Financière; l'obstacle financier international aura disparu, et le Gouvernement Beylical, ainsi que la France qui le protège, redeviendront les maîtres absolus de l'assiette de l'impôt, de l'établissement de nouvelles taxes, et de la réforme des anciennes."

A great deal of discussion took place on the question of giving the "Bank of Algeria" or the French "Comptoir d'Escompte" the privilege of issuing bank-notes in Tunis. M. Jules Ferry made the following declaration of the views of the Government on this matter:—

"Lorsque le Gouvernement aura pris un parti sur la question de savoir à quelle institution de crédit sera confié le privilège de l'émission en Tunisie, lorsque le Gouvernement aura décidé de donner à un ou plusieurs établissements: soit à la Banque d'Algérie, soit au Comptoir d'Escompte, soit à tout autre établissement, ce privilège de l'émission, il lui imposera en même temps l'obligation de faire le service de Trésorerie de la Régence, et comme il y aura là une opération qui tient un peu de la nature de l'emprunt, qui pourrait rentrer par conséquent dans les termes de l'Article Additionnel que vous aller voter, sur la proposition de M. Desson de St. Aignan, nous ne chicanerons pas, nous ne discuterons pas sur la question de savoir si des avances de Trésorerie constituent un véritable emprunt; nous viendrons spontanément vous soumettre les Statuts de la nouvelle banque."

I have the honour to inclose the authentic reports of the debates of the two days, as published in the "Journal Officiel."*

* "Journal Officiel," April 1 and 4 1884 (not printed)

I will send your Lordship a copy of the Bill exactly as passed as soon as one is to be obtained.

I have, &c.
(Signed) LYONS.

No. 17.

The Law Officers of the Crown and Dr. Deane to Earl Granville.—(Received April 5.)

My Lord,

Royal Courts of Justice, April 4, 1884.

WE are honoured with your Lordship's commands signified in Sir J. Pauncefote's letter of the 10th ultimo, stating that he was to transmit to us papers relative to the claim of the Franco-English-Tunisian Esparto Fibre Company to compensation, on account of the refusal of the French authorities in Tunis to allow them to construct a tramway for the conveyance of their produce, which right they claimed as holders of a Concession granted by the Bey of Tunis to a French subject, the late M. René Duplessis.

That the original Concession was sold by M. Duplessis to Mr. E. J. Hough, of London, from whom the Company afterwards acquired it by purchase.

That for particulars of this claim we were referred to the Company's letters of the 18th December, 1883, 7th January, 1884, and the 3rd March.

That in reply to their representations, the Company were informed by the Foreign Office on the 25th February that their claims should be dealt with in accordance with the understanding recently arrived at with the French Government for the settlement of outstanding British claims upon the occasion of the abandonment of the right of British Consular jurisdiction in Tunis, and that, consequently, if an amicable arrangement was not effected recourse must be had to arbitration.

That such was the agreement come to with M. Waddington, the French Ambassador at this Court, with regard to that particular class of claim. (Nos. 30, 34, 38, and 39 in Parliamentary paper C.)

That it appeared, however, from a telegram from Her Majesty's Agent and Consul-General at Tunis, dated the 5th March, that M. d'Estournelles, the French Chargé d'Affaires, contended that the claim of the Company did not come within the operation of the agreement for the settlement of British claims by arbitration, because it was specially provided by Article VII of the Concession to M. Duplessis that all differences which might arise between the Tunisian Government and the grantees or assignees of the Concession should be decided by the French Tribunal at Tunis.

That Article VII of the Concession would be found at p. 4 of paper A.

That it might be contended, however, that the provision in question was intended only to specify the Tribunal before which legal proceedings, if found necessary, should be instituted; whereas, the object of the agreement for the settlement of British claims by arbitration was to obviate the necessity of any recourse to Courts of Law.

That Sir J. Pauncefote was to request our opinion as to the validity of the objection put forward by the French Chargé d'Affaires to the settlement of the claims of the Company by arbitration.

We are also honoured with a further letter from Sir J. Pauncefote, dated the 12th ultimo, stating that with reference to his letter of the 10th ultimo he was to transmit copy of a letter from the Secretary of the Franco-English-Tunisian Esparto Fibre Supply Company, requesting that a decision upon the point raised by M. d'Estournelles, the French Chargé d'Affaires at Tunis, might be deferred until the Company have had an opportunity of submitting evidence which they believe would rebut the view held by the French Chargé d'Affaires.

We have also the honour to acknowledge the receipt of a further letter from Sir J. Pauncefote, dated the 17th ultimo, in which he stated that with reference to his former letters he was to transmit to us a letter from the Secretary of the above-mentioned Company, stating at length the objections of the Company to the contention of the French Chargé d'Affaires at Tunis, that their claim to compensation, arising out of the refusal of the French authorities to allow them to construct a tramway for the conveyance of their produce, must be submitted to the French Tribunal at Tunis, under Article 7 of the original Concession.

That Sir J. Pauncefote was to request our opinion at our earliest convenience on the question submitted in his letter of the 10th ultimo.

We are also honoured with a further letter from Sir J. Pauncefote, dated the 1st instant, stating that with reference to his letters of the 17th, 12th, and 10th ultimo, he was to transmit to us a note from the French Ambassador at this Court, supporting the contention that the claim of the Franco-English-Tunisian Esparto Company was not one for reference to arbitration under the arrangement recently made between Her Majesty's Government and the Government of France, and that Sir J. Pauncefote was to request that your Lordship might be favoured with a Report upon that matter at our early convenience.

In obedience to your Lordship's commands we have the honour to report—

That we think there can be no doubt that the Company possesses only such rights under the Concession as were possessed by M. Duplessis, and cannot claim any independent rights.

They are therefore bound by all the Articles of the Concession just as M. Duplessis would have been, so far, at all events, as the case be practically given effect to. And it is expressly provided by Article 7 that that Article shall apply, even though M. Duplessis should cede his rights.

It may be that if a difference had arisen resulting in a claim by the Bey against the English Company there would have been a difficulty in enforcing the provisions of Article 7, and compelling them to be bound by the decision of the French Tribunal, though we are by no means sure that this difficulty would have been found insuperable. But in the present case the difference is one which results in a claim by the Company against the Bey.

It is clear that this could not have been determined by the British Consular Court, and if the Bey were willing to submit to the jurisdiction of the French Tribunal, and to be bound by its decision, we see no greater difficulty in carrying out the provisions of Article 7 now than if M. Duplessis were himself the claimant. Nor do we think that the change from the French Consular Tribunal to the Court now substituted for it make Article 7 inapplicable, always assuming that the Bey can and will submit himself to and be bound by the existing French Tribunal.

The only ground therefore on which reliance can, in our opinion, be placed in urging the propriety of an arbitration, is the arrangement come to between the English and French Governments with reference to the settlement of outstanding claims.

We think it is fairly open to the contention that the intention was to withdraw all outstanding claims by British subjects against the Government of Tunis from the French Tribunals about to be recognized.

And the case seems one within the spirit of the agreement between the two Governments, and in which hardship may not improbably be suffered by the English Company if they are compelled to resort to the French Tribunals.

At the same time, we feel that there is great force in Baron d'Estournelles' view, and that Her Majesty's Government would not stand on very firm ground in insisting upon an arbitration.

It will be therefore for the consideration of Her Majesty's Government how the matter should be pressed if it should be determined to urge the claim to an arbitration.

We may observe that in M. Waddington's letter of the 29th December, 1883, he limits the claims which are to be referred to arbitration to "claims as to personal property" between the Tunisian Government and English subjects.

This creates some additional difficulty, for it may be insisted that the dispute which has arisen is not a claim for "personal property."

The difficulty, if raised, may, however, possibly be met by the view that the claim is for damages for not having been allowed to make the tramway provided for by the Concession, but the point is one of difficulty.

From the despatch of M. Waddington of the 29th March, now submitted to us, it appears that two points are taken against the reference of this case to arbitration, in addition to that arising from the terms of the 7th Article of the Concession.

The first, viz., that the Company is a French Company, is, as far as we are aware, erroneous in point of fact.

The second objection is, that the claim is "immobilière" in its nature. To this point we alluded in the earlier part of our Report, which was prepared before we received the further communication from your Lordship of the 1st instant.

It is certainly a formidable one if the Company are claiming that they shall be

empowered to make the railway, and specifically to enforce such right in place of claiming damages for not being allowed to construct it.

We have, &c.
(Signed) HENRY JAMES.
FARRER HERSCHELL.
J. PARKER DEANE.

No. 18.

Consul Dupuis to Earl Granville.—(Received April 7.)

(No. 9.)
My Lord,

Teneriffe, March 18, 1884.

I HAVE the honour to inform your Lordship that, in consequence of telegraph orders from Madrid, a portion of the military forces destined at one time for the projected occupation of Santa Cruz de Mar Pequeña, on the African coast, opposite these islands, after having been detained here more than twelve months, waiting the result of negotiations in the matter between the Spanish and Moorish Governments, which seem to have failed, was unexpectedly embarked yesterday for Cadiz. A second portion of that force will also sail for Spain in a few days.

Some Spanish papers, and "La Correspondencia Militar," in mysteriously alluding to other projects, declares that Spanish honour, if not to be found at Mar Pequeña, must be sought for elsewhere.

I have, &c.
(Signed) J. HUTTON DUPUIS.

No. 19.

Earl Granville to Viscount Lyons.

(No. 304.)
My Lord,

Foreign Office, April 7, 1884.

I HAVE received your Excellency's despatch No. 169 of the 26th ultimo, and, with reference to my despatch No. 127 of the 11th February, I should be glad to learn whether your Excellency has been able to ascertain the intention of the French Government as to the terms upon which they propose to effect the redemption of the Tunisian Debt.

I am, &c.
(Signed) GRANVILLE.

No. 20.

Sir J. Pauncefote to Messrs. McNaught, Pearse, and Middleton.

Gentlemen,

Foreign Office, April 7, 1884.

IN reply to your letter of the 31st ultimo, I am directed by Earl Granville to inform you that, after full consideration of the representations made by you on various occasions respecting the seizure by the Moorish authorities in Sûs of property belonging to the Sûs and North African Trading Company, his Lordship can see no ground for modifying the decision arrived at in this case, and that he must therefore decline to interfere on behalf of the Company.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 21.

Earl Granville to Sir J. Drummond Hay.

(No. 12.)
Sir,

Foreign Office, April 8, 1884.

I TRANSMIT to you herewith, for your information, copies of correspondence with the Sûs and North African Company relative to the seizure of their property by the Moorish Government.*

I am, &c.
(Signed) GRANVILLE.

No. 22.

Sir J. Pauncefote to Mr. Surtees.

Sir,

Foreign Office, April 8, 1884.

IN reply to your letter of the 3rd instant, I am directed by Earl Granville to inform you that the Arbitrators appointed by the English and French Governments have arrived at Tunis, but that the question between the two Governments as to whether the claim of the Esparto Fibre Company is within the terms of arrangement for the settlement of British claims by arbitration is still pending.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 23.

Sir J. Drummond Hay to Earl Granville.—(Received April 9.)

(No. 25. Confidential.)

My Lord,

Tangier, March 29, 1884.

WITH reference to my despatch No. 21 of the 14th instant on the subject of the protection granted by the French Government to the Great Shereef of Wazan, M. Diosdado read to me a despatch from the Spanish Vice-Consul at Laraiche, giving an account of the proceedings of the French Secretary of Legation and Chancellor, who had been dispatched to Wazan to inquire into the conduct of the Governor of that town, Cid Mohammed Gebbar, towards Hadj Abdesselam, the Great Shereef of Wazan.

It appears that the French officers summoned the Governor to appear at the Court of the Cadi, where they were assembled, together with a number of Notables of the town. The Governor refused to attend the summons. The result of the inquiry is said to have been that the Governor's conduct was condemned, and twelve members of Hadj Abdesselam's family were dispatched to the Court to require that the Governor, Cid Mohammed Gebbar, be removed from office.

The action of the French Secretary and Chancellor in superseding, as it were, the authority of the Sultan's officers, is said to have created a great effect upon the townspeople, who are partizans of the Great Shereef, and who, it appears, have been given to understand that they would be taken under French protection.

It is reported that three tribes of the mountainous districts in the neighbourhood of Wazan have signified their intention of not obeying the orders of the Governors appointed by the Sultan, and of submitting solely to orders emanating from the Shereef Hadj Abdesselam.

As this Shereef has made known that all persons in charge of his property are to be placed under French protection, it is reported that large numbers of Moors in various districts have come forward to declare that they hold property of the Shereef, and that note is taken at the French Legation of the names of all these persons.

If this state of affairs continues the Sultan will lose all power of control over his subjects, and the Shereef may ere long appear as a Pretender to the Throne, which, it is said, is openly spoken of.

It is reported by the Spanish Vice-Consul that the French have assembled a

orce in the neighbourhood of Ain Shaïr,* and that it is the intention of the French Government to demand a rectification of frontier.

M. Montfraix, the French Secretary of Legation, in conversing with a member of the Spanish Legation, observed that as it was the intention of the French Government, in rectifying their frontier, to leave a zone in the northern districts of Morocco, which would satisfy the Spanish Government that they have no intention of taking possession of territory upon the Straits and the Mediterranean, the latter can have no grounds for complaint.

The son of the Shereef Hadj Abdesselam is reported to have met the officers of the French Legation with a body of about 800 armed men, cavalry and infantry, and to have conducted them with great rejoicings and festivities into the town of Wazan.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

No. 24.

Viscount Lyons to Earl Granville.—(Received April 9.)

No. 199.)

My Lord,

Paris, April 8, 1884.

WITH reference to my despatch No. 192 of the 4th instant, I have the honour to inform your Lordship that in the Senate yesterday M. de Rémusat brought up the Report of the Committee appointed by that body to consider the Bill relative to the Financial Reorganization of Tunis, which was passed by the Chamber of Deputies on the 3rd instant.

The Report having been read the Bill was declared urgent, and the following day (to-day) was ultimately fixed for the debate on it.

Your Lordship will find the Report of the Senate Committee *in extenso* in the inclosed account of the proceedings which I have taken from the "Journal Officiel" of this morning.

It is entirely favourable to the Bill. It assumes as a matter of course that the effect of the new system will be the immediate abolition of the International Financial Commission.

I have, &c.

(Signed) LYONS.

Inclosure in No. 24.

Extract from the "Journal Officiel" of April 8, 1884.

Dépôt de Rapport.

M. de Rémusat.—Je demande la parole pour le dépôt d'un Rapport. (Lisez ! lisez !)

M. le Président.—La parole est à M. de Rémusat pour le dépôt et la lecture d'un Rapport.

M. de Rémusat.—J'ai l'honneur de déposer sur le bureau du Sénat, et de lire, puisque le Sénat le désire, le Rapport fait au nom de la Commission des Finances chargée d'examiner le Projet de Loi, adopté par la Chambre, portant approbation de la Convention conclue avec son Altesse le Bey de Tunis, le 8 Juin, 1883. (Lisez ! lisez !—Réclamations à Droite.)

C'est précisément pour que le Rapport soit inséré au "Journal Officiel" qu'on en a demandé la lecture.

M. le Duc de Broglie.—Alors, la discussion n'aurait lieu que demain.

M. le Rapporteur.—Je suis chargé, au nom de la Commission des Finances, de demander l'urgence et la discussion immédiate du Projet de Loi ; mais le Sénat sait très bien que le mot "immédiate" ne veut pas toujours dire tout de suite. Par conséquent, il dépendra du Sénat de décider à quel moment cette discussion aura lieu.

Messieurs, le Traité du 12 Mai, 1881, ou, comme on dit, le Traité du Bardo, a établi le Protectorat de la France en Tunisie, et a donné à notre pays des droits et des devoirs

* Ain Shaïr, as marked in the maps, is about lat. 32° 20' north, long. 3° west of Greenwich. I do not suppose that the French have assembled forces in that district, which is within the Sultan's dominions; though possibly a force may have been assembled on the frontier.

concernant le Bey et la Régence. Par l'Article VII de ce Traité, les deux Gouvernements se réservaient le droit de fixer d'un commun accord les bases d'une organisation financière de nature à assurer le service de la Dette Publique. Mais il a été bien entendu alors que cet Article n'impliquait point pour le Gouvernement Français l'obligation de prendre cette dette à sa charge, et de substituer sa garantie à celle du Gouvernement qui avait réellement contracté les emprunts. Sur ce point, la France restait absolument libre de tout engagement.

Tout nous commandait alors cette réserve proposée par le Gouvernement, approuvée par les deux Chambres, exprimée par les deux Rapporteurs et justifiée par la plus élémentaire prudence. Quels que fussent les avantages qu'on attendait de l'expédition, nous ne pouvions savoir avec précision si les effets de l'occupation et de notre Traité seraient lents ou immédiats, si nul trouble ne serait excité, si les impôts rentreraient aisément, si les réformes seraient faciles et rapidement profitables, si l'administration, en un mot, pourrait être aussi bien menée que l'expédition avait été heureuse.

Mais surtout rien ne pouvait être proposé en fait d'organisation financière ou de garanties, tant que subsistaient les juridictions Consulaires, utiles sans doute, aux premiers Européens qui se sont établis en Orient, mais nuisibles parfois aux progrès de la civilisation, lorsque ces pays s'ouvrent devant nous ; quel que fut l'intérêt d'abolir la Commission Financière, qui détient, comme on sait, une grande partie des revenus du Bey, et perçoit directement la moitié des impôts, nous devions nous attendre qu'à la campagne militaire, si honorable pour nos soldats et pour leurs chefs, succédât une campagne administrative et diplomatique.

Les temps sont venus plus promptement qu'on devait le prévoir et notre Ministre à Tunis a signé, le 8 Juin dernier, une Convention que la Chambre des Députés vient de ratifier et que nous vous proposons de voter. Votre Commission a même pensé que les longs Rapports faits à la Chambre, la discussion qui a duré trois jours, l'exposé élégant et judicieux que M. le Ministre Résident à Tunis, Commissaire du Gouvernement, a fait à la Tribune, ont si bien éclairé tous les côtés de la question, qu'il suffisait à votre Rapporteur de rappeler en peu de mots ce qui a été dit et ce qu'on vous propose de faire.

C'est aux Capitulations qu'il fallait s'en prendre tout d'abord, pour l'établissement d'un Budget normal en Tunisie. Tant que les Tribunaux étaient composés d'étrangers, sans jurisprudence constante, livrant le sort des impôts à des Puissances diverses divisées d'intérêts et d'opinions, tant, en un mot, que chacun pouvait se faire justice soi-même, on ne pouvait créer un régime nouveau, qui inspirât confiance et sécurité. Aussi, des négociations ont été activement poursuivies pour la réforme ou l'abandon de ces Capitulations.

Il ne s'agissait pas, bien entendu, de celles qui assurent aux Européens la liberté de s'établir en Orient, d'y voyager, d'y faire le commerce, Capitulations dont la France, il y a plusieurs siècles, avait la première donné des modèles. Pour celles-ci il n'y a nul intérêt à en demander le retrait, quoiqu'on puisse dire que l'utilité en diminue fort dès qu'une administration Européenne, ou protégée par les Européens, succède à une administration purement Orientale.

On ne pouvait pas davantage modifier dès aujourd'hui les Traités de Commerce que nous devons respecter comme tous les autres Traités de la Régence, et dont nous ne pourrions conseiller la dénonciation que dans des conditions déterminées. Mais il importait d'obtenir des peuples qui nous entourent en Europe le retrait du droit de juridiction, de l'organisation des Tribunaux Consulaires qui sanctionnent l'ingérence des étrangers en Tunisie.

Ce résultat, après une longue négociation, a été obtenu pour la plus grande partie et assuré pour le reste. M. le Président du Conseil annonçait il y a deux jours à la Chambre des Députés que l'Allemagne, par la Loi du 27 Juillet, 1883, avait aboli tous les pouvoirs judiciaires de ses Consuls en Tunisie, et qu'un ordre du Conseil avait fermé le 31 Décembre le Tribunal Consulaire de Sa Majesté Britannique. L'Autriche-Hongrie n'a pas encore achevé le vote de la Loi qui autorise la même réforme, mais le Gouvernement et l'une des Chambres se sont prononcés. Le Parlement Italien est saisi d'un Projet de Loi conçu dans le même sens qui ratifie une Convention conclue avec le Gouvernement Français. La Russie, la Suède, le Danemark ont pris les mêmes dispositions aussi honorables pour la France que pour le but de civilisation que tous poursuivent avec nous.

Cet obstacle étant écarté, restaient les difficultés purement financières. La dissolution de la Commission chargée de percevoir une partie des impôts et peu désireuse, par conséquent, d'en modifier l'assiette, était devenue possible, mais une telle mesure ne devait pas vous être proposée si elle eût engagé notre Budget. La garantie de la dette

Tunisienne, pour être vraiment profitable aux deux pays, ne doit rien coûter à aucun d'eux. Il faut, pour cela, que les impôts soient véritablement perçus, que les recettes et les dépenses soient bien contrôlées, que le Gouvernement du Bey se plie à la régularité des Gouvernements Européens, en fait de finances, et qu'on soit assuré que les anciens déficits ne reparaitront pas. Remarquons en passant, d'ailleurs, qu'il s'agit toujours du Gouvernement du Bey, et que nous devons rester sur cette zone un peu étroite du Protectorat, aussi éloignée de l'occupation qui serait passagère et n'aurait point des conséquences durables, que de l'annexion qui nous obligerait à des négociations lentes, à des réformes absolues et promptes. La question a été trop souvent débattue depuis quelques années et trop nettement décidée par le Parlement pour qu'il soit nécessaire d'insister.

Le Budget de la Tunisie en ressources et en dépenses a été imprimé dans des documents connus depuis longtemps du Sénat, dans l'Exposé des Motifs présenté à la Chambre des Députés le 31 Juillet, 1883, dans le Rapport de M. Antonin Dubost, le 12 Novembre, et enfin dans le discours de M. Cambon, le 4 Avril dernier.

Celui-ci a expliqué avec compétence et précision que son premier soin avait été d'obtenir du Souverain auprès duquel il est accrédité que la préparation du Budget fût confiée à un Conseil composé des Ministres Tunisiens et de fonctionnaires Français. On peut être donc assuré de l'exactitude des calculs et de la sincérité des prévisions. Il a été établi par ce Conseil que la moyenne des recettes pour les cinq années qui ont précédé l'occupation est de 11,265,000 fr., sur lesquels 5,456,065 fr., près de la moitié, sont concédés à la Compagnie Financière, et 5,809,400 fr. sont réservés pour les dépenses du Gouvernement. Ces revenus ont été fort augmentés depuis l'occupation. Les produits des impôts se sont accrus de 3 millions en 1882 et de 4 millions encore en 1883—de 7 millions en tout. Les résultats connus des premiers mois de l'exercice courant accusent une augmentation plus considérable encore, de 800,000 fr. sur les revenus réservés. On pourrait donc estimer à 16 ou 17 millions les revenus actuels du Bey de Tunis. Mais quelque réserve qu'on apporte dans la réforme des impôts, il en est quelques-uns qu'il faut immédiatement adoucir sinon abroger, notamment l'impôt de capitation et le droit à l'exportation sur les céréales, les fruits, et les légumes. On doit de plus rendre aux villes les droits d'octroi si nécessaires à l'embellissement, à la santé, et à la sécurité du pays. Il est donc juste de prévoir une diminution de recettes dans les premiers temps, et aussi une augmentation dans les frais de perception. Dans les publications qui vous ont été distribuées, vous avez vu que la diminution totale qui résulte de ces causes peut être évaluée à 5 millions. Mais le temps a marché depuis, quelques réformes ont été faites, et l'on a pu constater que cette dépense ou diminution de recettes se réduit à 3 millions, tout au plus, de sorte qu'on peut admettre un total de recettes de 13 ou 14 millions.

Le Budget des dépenses était, dans les premiers jours de l'expédition, de 7,084,000 fr., mais la plus grande part n'était pas employée à des services publics, à des besoins véritables. Il n'a donc pas été très difficile de la réduire. Cette réduction s'élève à 3,420,000 fr., c'est-à-dire à près de la moitié, mais on ne fait pas, par cette réduction, une économie égale à cette grosse somme. On a surtout transformé les dépenses improductives en dépenses utiles, et l'on peut encore estimer dans le nouveau système les dépenses totales, vraiment utiles, à 6,500,000 fr. Cette somme, retranchée du total des recettes, laisse un reliquat de 8 millions au moins qui doivent être affectés au service de la dette.

Cette dette est aujourd'hui de 125 millions consolidés par l'Arrangement de 1869, auxquels il convient d'ajouter une dette flottante de 17 millions, formée par l'accumulation de coupons non payés, d'anciens déficits, les concessions d'impôts ou de privilèges. Les intérêts de cette double dette sont représentés aujourd'hui par 6,250,000 fr. concédés à la Compagnie Financière et par quelques privilèges accordés aux créanciers de la dette flottante dont on évalue le produit à 3,000,000 fr.

Il y a donc aujourd'hui plus de 9 millions dépensés par an pour le paiement des intérêts de la dette principale et pour l'amortissement, assez lent sans doute, de la dette flottante.

Sans préjuger avec une exactitude rigoureuse les conditions qu'obtiendra de ses créanciers le Gouvernement de la Régence par la conversion de sa dette avec la garantie Française, on peut prévoir que la dépense en intérêts sera fort diminuée, de 2 et même de 3 millions, car en 4½ pour cent la dette consolidée, jointe à la dette flottante, ne coûterait que 6,390,000 fr. L'économie serait donc considérable et il y faudrait ajouter, pour être exact, le retour au Trésor des privilèges accordés pour l'amortissement de la dette flottante.

On voit par ces rapides calculs que l'excédent de recettes, sans escompter les plus-values, suffira amplement au service des intérêts ainsi réduits et que nous pouvons

aujourd'hui, sans dépense et sans danger, supprimer une institution qui peut être considérée comme un obstacle permanent aux réformes et à la bonne administration du pays.

Il est juste de signaler les objections qui ont été faites à ce système et les réponses très fortes qui les réfutent : On a dit, dans la discussion de la Chambre, que la plus-value des impôts, depuis l'occupation Française, tenait à cette occupation même, à la présence de nos troupes, aux dépenses des officiers et des soldats. Une armée relativement nombreuse ne devait-elle pas en vivant dans un pays médiocrement peuplé augmenter fortement les droits de douane et les revenus de toute espèce ?

L'argument est spécieux mais tombe absolument devant ce fait que l'armée d'abord forte de 30,000 hommes a été réduite à 15,000 et même à 11,000 hommes, et que les revenus n'ont pas diminué, que l'augmentation même a été progressive. C'est, du reste, seulement sur les droits d'importation qu'une telle influence se ferait sentir, et ces droits sont peu considérables auprès du Budget total. Non, la prospérité de la Tunisie ne peut être attribuée qu'à l'influence Française, aux constructions déjà faites dans les villes, aux progrès de toute sorte, et surtout à la sécurité que nous avons donnée aux commerçants, aux agriculteurs, à tous les habitants de ce pays fertile, qui vivent plus heureux, plus libres, plus confiants à l'abri de notre drapeau.

Une autre objection a été faite par quelques honorables membres de la Chambre des Députés. Ils craignaient que la France en garantissant, même nominalement, la dette Tunisienne, ne se prêtât à une opération usuraire, et l'on a rappelé les formes variables mais toujours onéreuses qu'affectaient les emprunts des anciens Souverains de Tunis.

Ce scrupule, très légitime autrefois, n'est pas fondé depuis l'Arrangement intervenu en 1869 entre le Gouvernement et les créanciers. A cette époque, les Délégués de la France, de l'Angleterre, et de l'Italie, sous la présidence d'un Inspecteur des Finances Français, ont réduit le capital de la dette de 350 à 125 millions. Les dernières traces des anciens abus ont alors disparu. Sans doute tous les chiffres qui nous ont été donnés, toutes les espérances qu'il est permis de concevoir tendent à démontrer que la garantie Française ne deviendra pas onéreuse pour le Trésor ; mais si, par quelque catastrophe, les Chambres étaient amenées à contribuer au paiement d'un coupon, on pourrait être assuré qu'il n'y aurait là que l'intérêt très modéré d'une créance légitime.

Un des Articles de la Convention concède une augmentation de la liste civile du Bey, et quelques-uns d'entre nous ont fait observer que c'était là un singulier début pour une ère d'économies. Mais il ne faut pas oublier que, dans les premiers temps de l'occupation, nous avons obtenu du Bey de se résoudre à une diminution de ses revenus pour assurer le paiement du dernier coupon de la dette. Il était juste de lui tenir compte de ce sacrifice et de lui rendre ce qu'on lui avait provisoirement enlevé. En outre, quelques-unes des dépenses supprimées au Budget étaient tout à fait personnelles au Souverain, l'entretien de son Palais, par exemple, et il était naturel de le dédommager.

Une inquiétude plus sérieuse a fait l'objet d'une discussion intéressante à la Chambre et dans la Commission des Finances.

Si le Pouvoir Législatif n'a aucun moyen de s'opposer aux institutions financières libres quelques-uns désiraient du moins que le Gouvernement ne créât point une de ces banques d'État ou d'émission qui sont contestées par les économistes, surtout en ces pays si différents du nôtre, et qui pourraient devenir pour le Gouvernement de la Régence une source d'emprunts déguisés ou irréguliers. Pour s'expliquer cette crainte, il faut se rappeler que le Projet de Loi primitif, outre l'approbation du Traité, demandait l'ouverture d'un crédit de 2,500,000 fr. pendant quatre ans pour rendre plus promptes et plus faciles les réformes du pays et le paiement des intérêts. Puisque ce projet était retiré, après quelques observations, de la minorité de la Commission du Budget, on pouvait croire que le Gouvernement y suppléerait d'une autre façon, par un privilège donné à quelque établissement de crédit ancien ou nouveau. Ce n'est point ce motif pourtant qui avait entraîné le retrait du Projet de Loi, mais le crédit était devenu inutile par les plus-values toujours croissantes pendant les derniers mois de l'année 1883 et le premier trimestre de 1884. On n'aura point à chercher cet argent ailleurs que chez les contribuables de la Tunisie, et la création d'une banque n'est point le corollaire de la Convention. M. le Président du Conseil l'a très nettement déclaré. Pouvait-on cependant lui demander de promettre que, jamais, sous aucune forme, dans aucune circonstance, on n'autoriserait la création d'un établissement nouveau en Tunisie ou l'extension, jusque chez les barbaresques, d'un établissement ancien ? Personne ne l'a pensé et le Gouvernement garde sa liberté. Mais M. Jules Ferry a déclaré très nettement à la tribune que si une entreprise de ce genre était proposée sérieusement et paraissait nécessaire, cette

création serait soumise à l'examen et au vote des deux Chambres, ce qui est la vraie garantie des peuples libres.

Votre Commission vous propose donc d'adopter les trois Articles du Projet de Loi. Le premier de ces Articles approuve la Convention conclue le 8 Juin, 1883, c'est-à-dire la conversion de la dette Tunisienne avec la garantie du Gouvernement Français. L'Article 2 décide que tout emprunt conclu par le Bey devra être autorisé par une Loi Française. L'Article 3, enfin, exige qu'un Rapport sur les opérations financières de Tunisie soit présenté chaque année à M. le Président de la République. Ce Rapport sera distribué aux Chambres. Voici le texte du Projet de Loi et celui de la Convention :—

"Article 1^{er}. Le Président de la République Française est autorisé à ratifier et à faire exécuter la Convention conclue entre le Gouvernement de la République et Son Altesse le Bey de Tunis, le 8 Juin, 1883.

"Une copie authentique du dit acte demeurera annexée à la présente Loi.

"Art. 2. Quand, en vertu de l'Article 2 de la susdite Convention, le Bey de Tunis demandera au Gouvernement Français l'autorisation de contracter un emprunt, cette autorisation ne pourra être accordée que par une Loi.

"Art. 3. Un Rapport sera présenté chaque année au Président de la République sur les opérations financières dans la Régence de Tunis, sur l'action et le développement du Protectorat."

Comme je le disais tout à l'heure, votre Commission des Finances m'a chargé de vous demander l'urgence, et il a été déposé une demande de discussion immédiate.

M. Batbie.—Dans quel sens, puisque le mot de discussion immédiate peut être pris de deux façons ?

M. le Rapporteur.—Le mot de discussion immédiate est pris dans le sens du règlement, c'est-à-dire qu'il nous affranchit des formalités, avant la discussion, de l'impression et de la distribution du Rapport; et, vous avez dû remarquer que toutes les fois qu'on votait la discussion immédiate, le Sénat décidait ensuite quel jour la discussion aurait lieu.

M. Batbie.—Quel jour la Commission entend-elle que la discussion immédiate ait lieu ?

M. le Rapporteur.—La Commission reste parfaitement aux ordres du Sénat sur ce point comme sur les autres.

M. le Président.—Je consulte le Sénat sur l'urgence, qui est demandée par la Commission, d'accord avec le Gouvernement.

Il n'y a pas d'opposition ?

M. Fresneau.—Je demande la parole.

M. le Président.—M. Fresneau a la parole.

M. Fresneau.—Je viens demander au Sénat de ne pas voter l'urgence, qui n'a été obtenue, dans l'autre Chambre, qu'après un pointage et à quelques voix seulement de majorité.

Un Sénateur à Gauche. A quelques voix ? . . . Il y a eu 50 voix !

M. Fresneau.—L'urgence a été demandée; il y a eu un vote, à la suite duquel un pointage a été nécessaire; ce n'est qu'à quelques voix de majorité qu'elle a été obtenue, à 18 voix.

Voix à Gauche. A 30 voix !

M. Fresneau.—Quoi qu'il en soit, il n'a pas été dit un seul mot, soit par les Ministres, soit par le Commissaire du Gouvernement, qui ne soit la négation formelle de l'urgence, et n'en démontre la parfaite inutilité.

Dans les déclarations officielles, les finances du Bey sont présentées sous un jour tellement favorable, que la seule question qui se poserait devant nous, si nous les prenions à la lettre, ce serait de savoir en quoi le concours financier de la France est nécessaire, ce que notre garantie a à faire ici.

Degrèvements, réformes, excédents, économies, rien ne manque au programme; on a un plan financier tout entier dont la réalisation manque de précédents Français, sans doute, mais dont le Gouvernement garantit l'exécution prompte, facile, sûre et intégrale, sous sa responsabilité.

Dans ces conditions, les partisans du projet conviendront qu'il n'y a pas urgence à augmenter de 142 millions notre dette au pas de course, entre deux Projets de Loi d'intérêt local et à la veille d'une séparation.

Et, quant aux adversaires du projet, que le Sénat me permette de lui faire observer en un seul mot que, dans la série déjà longue des usages—je ne dis même pas des abus—nombreux, variés, extraordinaires, qui ont été faits depuis six ans du crédit de l'État, la Loi nouvelle ouvre une phase nouvelle et jusqu'ici inconnue. Nous avons

été, jusqu'à présent, selon vous, grands, selon nous, prodigues. Mais du moins tout cela s'est passé chez nous.

Maintenant, il s'agit de transporter ces mêmes habitudes et d'exercer ces mêmes talents chez les autres. Non seulement nous garantissons la dette, mais nous garantissons des Traités, des Tarifs, nous garantissons des personnes, des biens; nous transportons notre protection jusqu'à l'étranger dans les États Musulmans, au profit de sujets qui ne sont pas nos sujets, si, toutefois, cette garantie est reconnue.

Enfin, Messieurs, les immunités anciennes—mot bien large—s'ajoutent au fardeau déjà si lourd de tout ce que nous garantissons; nous changerons seulement les Juges.

Voix à gauche.—Parlez sur l'urgence !

M. Fresneau.—Il est clair qu'il y a là des questions assez complexes, assez délicates, assez importantes pour que nous ne tranchions pas de pareilles difficultés et qu'avant de payer nous ayons besoin de connaître.

Je demande donc que, devant ce vote qui engage les finances pour 142,000,000 fr., nous suivions le procédé ordinaire des deux lectures.

Dans l'absence de tout péril en la demeure, il me semble que ma demande est assez modeste pour pouvoir être accueillie.

Un dernier mot.

Il y a ici des hommes qui ont en finances d'autres traditions, se dirigent d'après d'autres règles que celles qu'on suit actuellement. Il me semble qu'on demande assez d'efforts à notre raison, qu'on impose à nos principes assez de sacrifices pour que l'on ne nous conteste pas au moins la consolation réglementaire des deux lectures.

Il faut avoir quelque compassion pour ceux qu'on force à avancer de ce pas, dans des voies qui ne sont pas les leurs. Le Sénat est maître de ses décisions, mais j'aurai, jusque dans les détails, rempli mon devoir en demandant au Sénat les garanties auxquelles une discussion de cette gravité a droit, et il me semble que, réduite à ces termes, ma demande est assez humble pour ne pas pouvoir être refusée. (Marques d'approbation à Droite.)

M. le Président.—Personne ne demande plus la parole sur la question d'urgence ?

Je la mets aux voix.

(L'urgence est déclarée.)

M. le Président.—Je consulte le Sénat sur la discussion immédiate, qui est demandée par vingt de nos collègues dont voici les noms :—

MM. le Comte de Saint-Vallier, Eugène Gouin, Denormandie, Barbey, Paul de Rémusat, Cuvinot, Calmon, Adam, Édouard Millaud, Barne, Émile Gayot, Le Monnier, Béral, Combescure, Noblot, Testelin, Munier, Marcel Barthe, le Général Farre et Michaux.

Cette demande a été déposée en ce sens qu'il y aura dispense des délais ordinaires de distribution.

(La discussion immédiate, mise aux voix, est prononcée.)

M. le Président.—Le Sénat veut-il commencer la discussion immédiatement après la proposition de loi sur le sectionnement municipal de Paris, ou demain seulement ?

Voix diverses.—Demain ! Aujourd'hui !

M. le Duc de Broglie et plusieurs Sénateurs à Droite.—On n'a pas entendu le Rapport !

M. le Président.—Deux propositions se trouvant en présence, je mets aux voix, suivant l'usage, le terme plus éloigné, c'est-à-dire demain.

(Le Sénat, consulté, décide que la discussion est renvoyée à demain.)

No. 25.

Viscount Lyons to Earl Granville.—(Received April 10.)

(No. 203.)

My Lord,

Paris, April 9, 1884.

WITH reference to my despatch No. 199 of yesterday, I have the honour to inform your Lordship that the Bill relative to the Financial Reorganization of Tunis was passed by the Senate without a division yesterday afternoon.

The Duc de Broglie made a speech, in which he criticized the conduct of the Government, but did not oppose the passing of the Bill.

M. Jules Ferry, President of the Council of Ministers and Minister for Foreign Affairs, answered the Duc de Broglie. His speech did not throw any fresh light on the details of the measures which the French Government apparently intends to adopt with

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a view to converting or paying off the Tunisian debt and abolishing the International Financial Commission.

I inclose the authentic account of the proceedings given in the "Journal Officiel" this morning.

Your Lordship will see from it that the text of the Bill as finally passed is as follows:—

"Article 1^{er}. Le Président de la République Française est autorisé à ratifier et à faire exécuter la Convention conclue entre le Gouvernement de la République et Son Altesse le Bey de Tunis, le 8 Juin, 1883.

"Une copie authentique du dit acte demeurera annexée à la présente Loi."

"Art. 2. Quand, en vertu de l'Article 2 de la susdite Convention, le Bey de Tunis demandera au Gouvernement Français l'autorisation de contracter un emprunt, cette autorisation ne pourra être accordée que par une Loi.

"Art. 3. Un Rapport sera présenté chaque année au Président de la République sur les opérations financières dans la Régence de Tunis, sur l'action et le développement du Protectorat.

"Ce Rapport sera distribué au Sénat et à la Chambre des Députés."

The Bill will no doubt be very soon promulgated as a Law by the President of the Republic.

I have, &c.
(Signed) LYONS.

No. 26.

Sir J. Drummond Hay to Earl Granville.—(Received April 10.)

(Telegraphic.)

Tangier, April 9, 1884.

OFFICER arrived from Sultan ordered to communicate with French, German, Spanish, and British Ministers regarding critical state of affairs caused by protection afforded to Shereef of Wazan and other persons by French. Officer had secret interview with me this morning; sees French this afternoon, and other Ministers to-morrow. Sultan declares that he cannot govern country if a stop is not put to these protections, and that there will be no security to trade or property in the markets.

I await result of communications to Ministers before reporting. The Moor who died from effect of flogging was not Secretary but Steward of Governor. Boiling water poured upon him during flogging.

P.S.—No presents sent to British or German Governments, as reported in my despatch No. 31. Officer saw French Minister; latter refuses to admit any account of conduct of son of Shereef except that of Secretary of Legation; declares apprehension of Sultan about proceedings unfounded; insists on dismissal of Governor. Acting Minister for Foreign Affairs will call on German Minister, Italian Minister, and Spanish Minister, instead of Sultan's officer, so as not to rouse French susceptibility.

No. 27.

*Earl Granville to Mr. de Bunsen.**

(No. 44.)

Sir,

Foreign Office, April 10, 1884.

I TRANSMIT herewith, for your information, copy of a despatch from the British Consul at Tenerife respecting the withdrawal of the Spanish forces, with which it had been intended to occupy Santa Cruz de Mar Pequeña, upon the African coast.†

I am, &c.
(Signed) GRANVILLE.

* Also to Sir J. Drummond Hay (No. 13).

† No. 18.

No. 28.

Sir A. Paget to Earl Granville.—(Received April 11.)

(No. 115.)

My Lord,

Vienna, April 9, 1884.

IN the interview I had with Count Kálnoky yesterday afternoon, his Excellency informed me that the Italian Ambassador had spoken to him, by desire of his Government, respecting the proceedings of the French towards Morocco.

His Excellency likewise read me a despatch from the Austrian Minister at Madrid, reporting the observations which had been made to him by the Spanish Minister for Foreign Affairs upon the same subject; and Count Kálnoky further read to me a Report which he had received from Sir J. D. Hay, which states succinctly the various points upon which, under somewhat severe pressure, the Moorish Government had yielded to the French Representative at Tangiers.

It results from the communication of Señor Elduayen to Count Dubsky that the French Government having obtained, through the energetic or rather menacing action of their Minister, satisfaction for certain grievances or pretensions which they had put forward, were still adopting a course which gave reason to apprehend that France was seeking, with a view to the realization of their aggressive and ambitious designs, to fasten a quarrel upon Morocco.

The deposition of the present Sultan, and his substitution by the Shereef of Wazan, who is said to have rendered services to the French in their dealings with the frontier tribes, and has, as a recompense, been taken under French protection, was alluded to by the Spanish Minister to Count Dubsky, as forming a not improbable item in the French plans.

The Italian Government seems to be apprehensive lest it should be the intention of the French Government to repeat in Morocco the policy which they have pursued in Tunis; and the desire of both the Italian and the Spanish Governments appears to be to interest the Great Powers to take some steps in common, with a view to the maintenance of the *status quo* in Morocco.

Count Kálnoky informed me that he had replied to the Italian Ambassador that he was not at present sufficiently acquainted with the circumstances to be able to express a decided opinion, but that he would make inquiries and communicate further with him on the subject.

In the meantime, his Excellency said, he should be very glad to be made acquainted with your Lordship's views on the matter in question, and with the course which Her Majesty's Government proposed to take respecting it. His Excellency intends, I believe, to direct Count Károlyi to speak to your Lordship on the subject.

I have, &c.
(Signed) A. PAGET.

No. 29.

Earl Granville to Sir J. Drummond Hay.

(No. 14. Confidential.)

Sir,

Foreign Office, April 11, 1884.

I TRANSMIT to you herewith, for your information, copy of a despatch, as marked in the margin,* from Her Majesty's Minister at Madrid, relative to intrigues of Señor Alba Salcedo with the Shereef of Wazan against the Sultan of Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 30.

Sir J. Drummond Hay to Earl Granville.—(Received April 12.)

(No. 27. Confidential.)

My Lord,

Tangier, April 2, 1884.

WITH reference to my despatches Nos. 24 and 25 of the 24th and 29th ultimo regarding the state of affairs produced by the extension of protection to the Great

* See Part VI, No. 148.

Shereef of Wazan by the French Government, I have the honour to inform your Lordship that M. Diosdado communicated to me the substance of a despatch he had addressed the Government at Madrid, in which he reported the language held to him yesterday by M. Ordega on this subject.

M. Ordega stated that the two officers of his Legation, who had been dispatched to Wazan to institute an inquiry into the conduct of the Governor, Cid Mohammed Gebbar, and of the son of the Shereef, Cid Mohammed, who represents his father, as the spiritual Chief in the holy city of Wazan, had returned to Tangier, and that he (M. Ordega), in consequence of the report he had received from them, had demanded from the Sultan the immediate removal of Cid Mohammed Gebbar from the Government of Wazan.

M. Ordega said that Cid Mohammed, the son of the Great Shereef, had been accused of having bastinadoed two soldiers of the Governor, Cid Mohammed Gebbar, on account of their having made use of offensive expressions regarding him, and that one of these men had died from the effects, and, as it was falsely alleged, of the bastinado.

M. Ordega said that the result of the inquiry proved that the deceased had not died from the effects of the flogging, but that he had been given poison by the Governor after his release from prison.

M. Ordega added he was persuaded that the Sultan would accede to his demand for the removal of Cid Mohammed Gebbar from the Governor of Wazan, as he considered that he (M. Ordega) had rendered a most important service to the Sultan by giving His Majesty an opportunity to conciliate the Shereef, who was so incensed at the treatment he had received from His Shereefian Majesty and his Government that he would have taken steps, which would inevitably have led to civil war and to the dethronement of the Sultau, had he not intervened.

M. Ordega observed that the day the officers of his Legation entered Wazan they were met by a body of 700 men, cavalry and infantry, all armed with double-barrelled rifles, and that several tribes had sent in their adhesion to the Shereef, who had only to declare himself the head of a party opposed to the Sultan, when large numbers of the population would be ready to join his standard from all parts of the country.

M. Ordega observed that the Shereef represented civilization and progress, the Sultan barbarity and retrogression; and that they, the French, would gladly accept and welcome a Ruler of this country who would establish order on the frontier.

An observation having been made to M. Ordega regarding the irregularity of the protection afforded to the Shereef and his family, which had disposed him to foment a civil war, he replied that protection was afforded only to the Shereef and his son, Cid Mohammed, and that the Shereef was ready to extend the hand of friendship to the Sultan if His Majesty would remove the present Governor of Wazan, and would take steps to prevent acts of injustice towards his dependents.

M. Ordega, in reply to a remark that the aim of the Madrid Convention in affording protection to Moorish subjects had been to benefit trade, and not for political purposes, said that France upheld protection for political purposes, by which civilization and improvement could be introduced into Morocco.

M. Diosdado having made a remark regarding the proceedings of the Shereef, as being prejudicial to the Sultan, M. Ordega observed, "It is evident that you desire to uphold barbarity," and he repeated that His Shereefian Majesty should feel greatly indebted to him, for he had saved him from civil war, which would have led to his dethronement.

Similar language has been held by M. Ordega to M. Scovasso, the Italian Minister, to whom, in the course of conversation, he said that it had been the intention of M. Ferry to have promoted him to a Legation in Europe, but that his policy and acts in Morocco had met with entire approval, and had been considered so beneficial to the interests of France that he had been requested to remain for another year.

M. Ordega has thrown off the mask, and the impression left on the minds of his hearers is that his conduct is entirely, though it may be covertly, approved by the French Government.

According to M. Ordega's account, the Sultan now depends entirely on his goodwill and forbearance, whilst with his usual indiscretion in conversation, he leaves the impression that the aim of France will be to bring about the downfall of the Sultan, and that the Shereef, the alleged representative of civilization, supported by France, will ascend the throne. It is not surprising that the Sultan should have directed his Vizier to appeal to Her Majesty's Government, crying out, "The hand of the enemy is upon me."

In my despatch No. 7 of the 20th January, I mentioned that I was "inclined to

think that there had been some secret understanding between the French Minister and the Shereef, and that hopes had been held out to him that his pretensions to the throne under certain contingencies would be supported by France." This supposition, it appears to me, is now confirmed by the acts and indiscreet language of M. Ordega. The French Government, without resorting to the use of force, can now bring about this event at any time they may find it convenient to do so. Should the Shereef succeed in usurping the throne, it is evident he would be merely a satrap of France, which Power would become mistress of Morocco and of all the southern coast of the Mediterranean from Sparte to Tripoli.

The French Government may not think that the time has yet come to effect this, and may stay the restless and ambitious hand of their Minister in Morocco, and continue to give apparently satisfactory and solemn assurances to foreign Governments of their desire not to disturb the *status quo*; but there can now be no doubt as to their covert intentions.

M. Ordega, as I reported to your Lordship last year, had openly spoken of his intention of becoming the Roustan of Morocco, and he is carrying this out, though in a different manner from his colleague.

In the present state of affairs, the authority of the Sultan will daily dwindle away, the action of his officers be paralyzed, the will of the French Minister will rule all Moorish officials, and even the relations of this Government with other Powers; the position of other Representatives will become untenable; for the Moorish Government and its officials, brutalized, as it were, by the effects of the violent language and treatment they receive from the French Minister and the members of his Legation, who show an utter disregard for their independence, will hardly be disposed to pay attention to the representations of those foreign Representatives who do not resort to a similar mode of treatment.

With regard to the flogging of the soldier to death, I believe that it was done, for I do not see what object the Government can have had in poisoning his own dependent, who had been arrested and flogged by the Shereef's son.

M. Ordega, in answer to the query put him, pretends that he only protects the Shereef and his family, including the son, Cid Mohammed, the spiritual Chief at Wazan. This latter person is of age, and has a family; he is not, therefore, entitled to protection by the Madrid Convention, for he cannot also have rendered a service to France, unless it has been by defying the authority of the Sultan and his officers. Though M. Ordega may choose to declare he does not protect the Shereef's relations and dependents, I am told that a list of them has been made out, and that instructions have even been sent to the French Vice-Consul at Saffi to protect some relative or adherent of the Shereef.

As I do not believe that France would be disposed to withdraw the protection afforded to the Shereef, or to direct their Minister to desist from his manifest intention of undermining the authority of the Sultan and paralyzing the action of his officers, I know not what measures could be suggested, unless it be, as I have ventured to submit in past despatches,* that an understanding be come to with other foreign Powers regarding the future of Morocco and the neutrality of the Straits.

With regard to the character of the Shereef, Hadj Abdessclam, whom M. Ordega points at as the representative of civilization and progress in Morocco, he is a drunkard, and has had several attacks of delirium tremens. He is a man of dissolute, and I may say bestial, habits. He has been guilty, when in a state of intoxication, of committing outrages on the women of his household by unmerciful floggings, and even, it is said, of murder. Since he married an English lady I have not heard reports of the commission of like outrages, except on one occasion, when a Jewish mistress was cruelly flogged.

His son, Cid Mohammed, has shown what he is capable of, by flogging to death a soldier of the Government of Wazan, for there can be no doubt that the man died from the effects of the flogging, and not from poison.

The Shereef of Wazan has always been friendly disposed towards Europeans and towards native Jews. He takes a great interest in European arms, of which he possesses a large stock.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

P.S.—Since writing this despatch I learn that the Moor, Hadj Mohammed Shammi, who was flogged to death by the son of the Shereef, was the "Khaleefa," or Lieutenant-Governor and Secretary of the Governor of Wazan, and not a common soldier.

His hands are said to have been fixed (the word "clavados" was used, but I can hardly think they were actually nailed) to a wall, and he was flogged till his flesh was torn away in pieces.

The Governor Gebbar sent him some medicine to heal his wounds, which has afforded a pretext for the accusation of poisoning brought forward by the partizans of the Shereef. The French officers listened to the statements of the Shereef's son and of his partizans.

J. H. D. H.

No. 31.

Viscount Lyons to Earl Granville.—(Received April 12.)

(No. 211.)

My Lord,

Paris, April 11, 1884.

WITH reference to my despatch No. 203 of the day before yesterday, I have the honour to inform your Lordship that the "Journal Officiel" of to-day contains the promulgation by the President of the Republic of the law to authorize the ratification of the Financial Convention between France and Tunis concluded on the 8th June, 1883.

I inclose the Law as thus promulgated, to which the text of the Convention is annexed.

This text was transmitted to your Lordship with Mr. Plunkett's despatches No. 497 of the 3rd August last and No. 500 of the 7th of that month, and with my despatches No. 37 of the 17th January last and No. 89 of the 19th February last.

I have, &c.
(Signed) LYONS.

Inclosure in No. 31.

Extract from the "Journal Officiel" of April 11, 1884.

Loi portant approbation de la Convention conclue avec Son Altesse le Bey de Tunis, le 8 Juin, 1883.

LE Sénat et la Chambre des Députés ont adopté,

Le Président de la République promulgue la Loi dont la teneur suit:—

Article 1^{er}. Le Président de la République Française est autorisé à ratifier et à faire exécuter la Convention conclue entre le Gouvernement de la République et Son Altesse le Bey de Tunis, le 8 Juin, 1883.

Une copie authentique du dit acte demeurera annexée à la présente Loi.

Art. 2. Quand, en vertu de l'Article II de la présente Convention, le Bey de Tunis demandera au Gouvernement Français l'autorisation de contracter un emprunt, cette autorisation ne pourra être accordée que par une Loi.

Art. 3. Un Rapport sera présenté chaque année au Président de la République sur les opérations financières dans la Régence de Tunis, sur l'action et le développement du Protectorat.

Ce Rapport sera distribué au Sénat et à la Chambre des Députés.

La présente Loi, délibérée et adoptée par le Sénat et par la Chambre des Députés, sera exécutée comme loi de l'État.

Fait à Paris, le 9 Avril, 1884.

(Signé) JULES GRÉVY.

Par le Président de la République:

Le Président du Conseil,
Ministre des Affaires Étrangères,
(Signé) JULES FERRY.

Convention entre la France et la Tunisie pour régler les Rapports respectifs des Deux Pays.

Son Altesse le Bey de Tunis, prenant en considération la nécessité d'améliorer la situation intérieure de la Tunisie, dans les conditions prévues par le Traité du 12 Mai, 1881, et le Gouvernement de la République ayant à cœur de répondre à ce désir et de consolider ainsi les relations d'amitié heureusement existantes entre les deux pays, sont convenus de conclure une Convention spéciale à cet effet: en conséquence, le Président de la République Française a nommé pour son Plénipotentiaire, M. Pierre-Paul Cambon, son Ministre Résident à Tunis, Officier de la Légion d'Honneur, décoré de l'Haid et Grand-Croix du Nichau Iftikar, &c., &c., lequel, après avoir communiqué ses pleins pouvoirs, trouvés en bonne et due forme, a arrêté, avec Son Altesse le Bey de Tunis, les dispositions suivantes:—

ARTICLE I.

Afin de faciliter au Gouvernement Français l'accomplissement de son Protectorat, Son Altesse le Bey de Tunis s'engage à procéder aux réformes administratives judiciaires et financières que le Gouvernement Français jugera utiles.

ARTICLE II.

Le Gouvernement Français garantira, à l'époque et sous les conditions qui lui paraîtront les meilleures, un emprunt à émettre par Son Altesse le Bey, pour la conversion ou le remboursement de la dette consolidée s'élevant à la somme de 120,000,000 fr. et de la dette flottante jusqu'à concurrence d'un maximum de 17,550,000 fr.

Son Altesse le Bey s'interdit de contracter, à l'avenir, aucun emprunt pour le compte de la Régence sans l'autorisation du Gouvernement Français.

ARTICLE III.

Sur les revenus de la Régence, Son Altesse le Bey prélèvera: (1) les sommes nécessaires pour assurer le service de l'emprunt garanti par la France; (2) la somme de 2,000,000 piastres (1,200,000 fr.) montant de sa liste civile, les surplus des revenus devant être affecté aux dépenses d'administration de la Régence et au remboursement des charges du Protectorat.

ARTICLE IV.

Le présent Arrangement confirme et complète, en tant que de besoin, le Traité du 12 Mai, 1881. Il ne modifiera pas les dispositions précédemment intervenues pour le règlement des contributions de guerre.

ARTICLE V.

La présente Convention sera soumise à la ratification du Gouvernement de la République Française et l'instrument de la dite ratification sera remis à Son Altesse le Bey de Tunis dans le plus bref délai possible.

En foi de quoi les Soussignés ont dressé le présent acte et l'ont revêtu de leurs cachets.

Fait à la Marsa, le 8 Juin, 1883.

(Signé) ALI, Bey de Tunis. (Signé) PAUL CAMBON.

No. 32.

Viscount Lyons to Earl Granville.—(Received April 12.)

(No. 212.)

My Lord,

Paris, April 11, 1884.

IN answer to your Lordship's despatch No. 304 of the 7th instant, I regret to have to report that I have not yet succeeded in ascertaining what may be the precise terms upon which the French Government propose to effect the redemption of the Tunisian debt.

Mr. Plunkett and I, in the despatches of which I subjoin a list,* have very regularly

* Mr. Plunkett, No. 488, July 31; No. 497, August 3; No. 500, August 7; No. 631, September 18, 1883. Viscount Lyons, No. 37, January 17; No. 89, February 19; No. 169, March 26; No. 184, April 1; No. 192, April 4; No. 199, April 8; No. 203, April 9; and No. 211, of April 11, 1884.

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kept your Lordship acquainted with the progress of the Bill authorizing the ratification of the Convention on the subject between France and Tunis of the 8th June, 1883; and in forwarding to your Lordship the Parliamentary documents and debates relating to it, we have been careful to direct attention to any passages calculated to throw light upon the intentions of the French Government as to the detailed execution of the Convention.

No announcement of any detailed scheme has yet been formally made by the Government.

Indeed, they may very probably not make up their own minds as to details until the time for bringing the guaranteed loan into the market is close at hand; and, indeed, it is not improbable that the announcement of these details may be made at Tunis at the same time, or even before it is made in Paris.

In your despatch No. 127 of the 11th February last, your Lordship directed that in case the subject should be referred to by the French Minister for Foreign Affairs, I should bear in mind the statement made in that despatch of the views of Her Majesty's Government with regard to the mode in which the redemption of the Tunisian debt should be carried out. I have never lost sight of this instruction, but the Minister has not as yet said anything to me about the matter.

I shall continue to use my best endeavours to obtain information with regard to the intentions of the French Government.

As your Lordship is aware, the text of the Convention provides for the conversion or reimbursement of the Tunisian debt, and, so far as the debates and Parliamentary documents afford an indication, the leaning would seem to be rather towards conversion than simple reimbursement.

I have, &c.
(Signed) LYONS.

No. 33.

Earl Granville to Mr. Nicolson.

(No. 1.)
(Telegraphic.)

Foreign Office, April 12, 1884, 5.45 P.M.

YOUR despatch No. 30: Benayad case.

Facts being in dispute, Her Majesty's Government are willing to refer to arbitration question as to which party should have possession of ground until the other have vindicated his title in the Competent Court.

Inform Greek Government.

No. 34.]

Earl Granville to Mr. Nicolson.

(No. 47. Ext. 1.)

Sir,

Foreign Office, April 12, 1884.

I HAVE received your despatch No. 30 of the 27th March relative to the question arising out of the forcible occupation by a Greek subject, named Gringra, of a plot of ground at Tunis belonging to General Benayad, a British subject, and I have to state to you that as the facts of the case are in dispute, Her Majesty's Government are willing that the question, as to which party should have possession of the ground until the other has vindicated his title in the Competent Courts, should be referred to arbitration.

I instructed you to-day by telegram to address a communication to the Greek Government in the above sense.

I am, &c.
(Signed) GRANVILLE.

No. 35.

Earl Granville to Consul-General Playfair.

(Telegraphic.)

Foreign Office, April 12, 1884, 6.15 P.M.

ASCERTAIN and report whether there is any truth in rumour that French have assembled troops on frontier of Morocco, and if so, at what point.

No. 36.

Sir J. Drummond Hay to Earl Granville.—(Received April 14.)

(No. 29.)

My Lord,

Tangier, April 4, 1884.

WITH reference to my despatch No. 28 of the 2nd instant, I transmit herewith the translation of a letter from a foreign Consular officer, which was communicated to me confidentially. The writer has been twenty years in this country, and is well acquainted with all that is passing. His views coincide with those I have expressed to your Lordship.

Such is the stupid fanaticism even of the more enlightened Mohammedans, that the story about the spirituous liquors indulged in by the Shereef being converted into milk as they pass his throat is generally believed, and when senseless from intoxication they believe that his spirit has fled for the time to Heaven, and that, when his senses return, he becomes more inspired than before his state of inebriation.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 36.

Letter communicated to Sir J. Drummond Hay confidentially.

(Translation.)

LET the Shereef do what he pleases, he will not fall in the estimation of the Mohammedan population. How can it be otherwise, when they believe that the spirituous liquors he drinks are converted into milk, by the grace of God, as they pass down his throat.

Now the Mohammedans know that the Shereef is backed by a Great Power, whilst the Sultan is abandoned by all. The Shereef, from his sanctity, is assured of victory, if the struggle comes on, for all will follow him.

The Arabs are capable of believing that it is the hand of Providence which has accorded him the protection of France. The Sultan's authority, from the menacing attitude of the Shereef, is gone. Will the Shereef usurp the throne, or will the protector (France) and the protected (the Shereef) be satisfied for the time at having the Sultan under their thumb?

I believe that Cid Mohammed Bargash belongs to the "Juddam,"* and that he is also capable of believing that the spirituous liquors drunk by the Shereef are converted into milk, though he has chosen to say that, in a struggle between the Shereef and the Sultan, every good Mussulman will stand by the latter. I believe that Cid Mohammed Bargash has left Tangier for a time, on account of what is passing and fearing coming events.

No. 37.

Sir J. Drummond Hay to Earl Granville.—(Received April 14.)

(No. 30. Confidential.)

My Lord,

Tangier, April 7, 1884.

IT is reported that the Sultan has dispatched an officer† with presents and letters to the British and German Governments upon the subject of the menacing attitude of the French Minister in his proceedings in this country.

I have the honour to transmit the translation of an extract from a private letter I have received from Meknez, giving an account of the language held by M. Ordega to a Moorish officer of rank, who had come to Tangier in charge of treasure.

I suppose M. Ordega's object in holding such menacing language—if the officer speaks the truth—is to alarm the Sultan, and thus induce His Majesty to accede to his demand for the dismissal of the Governor of Wazan. M. Ordega would probably be prepared to deny that he ever held such language.

I am informed by colleagues and by some of the Moorish authorities that M. Ordega has caused to be issued to the numerous dependents of the Shereef dwelling amongst the tribes in the plains and in the mountainous districts documents in which, though it is not

* Sect of which the Shereef is head.

† See Sir J. Drummond Hay's telegram of 9th April annexed. His detailed Report has not yet been received.—E. D.

distinctly declared that the bearer is under French protection, the Moorish authorities are warned not to arrest him without, in the first place, giving notice to the French Legation, as he is a dependent of a person under French protection. I am endeavouring to obtain a copy of one of these documents. This system of propaganda will completely undermine and destroy the Sultan's power of control over his subjects.

It is also reported at the Moorish Court that M. Ordega has given protection to the son of the late Governor of Larache and his family, who are connected with the Shereef. I believe the former has been made the "Semsar" of some French merchant.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 37.

Extract from Private Letter from Meknez, dated II Jumada 2nd, 1301 (March 31, 1884).

(Translation.)

THE French Minister sent for the Sultan's officer, who had been dispatched to Tangier in charge of Treasure, and said to him, "Tell the Sultan that he is seeking for trouble about the Shereef, and we suppose has sent Bargash to France to speak about it. Say that we are prepared to send 30,000 men across the frontier to support the Shereef of Wazan, and to assist him to govern for the French, and that we shall advance to Fez and other parts. This will take place very soon, very soon." This officer arrived at Fez and told this to the Sultan, and I let you know secretly.

No. 38.

Sir A. Dingli to Earl Granville.—(Received April 15.)

My Lord,

Tunis, April 8, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 29th ultimo, by which, referring to my previous acceptance of the office of British Arbitrator under the arrangement concluded between Her Majesty's Government and the Government of the French Republic for the settlement of British claims at Tunis, your Lordship was pleased to direct that on my arrival here I should address myself to Her Majesty's Agent and Consul-General, who would place me in communication with the French authorities with a view to the disposal of such claims as may be awaiting arbitration.

I have also the honour to report that, in accordance with an intimation of your Lordship's desire given to me by his Excellency the Governor of Malta, I left that island on the 2nd instant, and on my arrival the next day, the French Arbitrator, M. de Blignières, having arrived here the day before, I was at once introduced by Mr. Reade to the Acting French Minister Resident, and put in communication with my colleague.

It appears that the claims to be submitted to our consideration are those only of General Sy Hamida Benayad.

I have, &c.
(Signed) A. DINGLI.

No. 39.

Mr. Nicolson to Earl Granville.—(Received April 15, 3.15 P.M.)

(Telegraphic.)

Athens, April 15, 1884, 11.30 A.M.

YOUR Lordship's telegram No. 1.

Greek Government agree with Her Majesty's Government, and will at once instruct their Tunisian Consul to press his party to accept arbitration.

No. 40.

Earl Granville to Mr. Reade.

(No. 7.)
(Telegraphic.)

Foreign Office, April 15, 1884, 5 P.M.

YOUR despatch No. 9 of 13th March.

Greek Government agree with Her Majesty's Government that question as to which party should have possession of ground until the other has vindicated his title in the competent Court should be referred to arbitration, and Greek Consul at Tunis will be instructed to press his party to accept arbitration.

Sir A. Dingli might be English Arbitrator.

No. 41.

Earl Granville to Mr. Reade.

(No. 15. Ext. 7.)

Foreign Office, April 15, 1884.

Sir,

WITH reference to your despatch No. 9 of the 13th ultimo, I inclose, for your information, copy of an instruction which I have addressed to Her Majesty's Chargé d'Affaires at Athens,* suggesting that the question of the occupancy of the plot of ground invaded by Gringra and claimed by General Benayad should, pending a legal decision as to title, be referred to arbitration.

I learn by telegraph that the Greek Government accept this suggestion, and will instruct their Consul at Tunis accordingly.

I see no objection to Sir A. Dingli acting as the English Arbitrator.

I am, &c.
(Signed) GRANVILLE.

No. 42.

Mr. Reade to Earl Granville.—(Received April 16.)

(No. 14.)

My Lord,

Tunis, April 7, 1884.

I HAVE the honour to confirm my telegram No. 11 of the 4th instant, announcing the arrival here of Sir Adrian Dingli and M. de Blignières, his colleague in the arbitration of outstanding claims.

Conformably with your Lordship's instructions, I put the first-named gentleman in communication with the French authorities immediately after his arrival, M. de Blignières, who arrived a day sooner than Sir Adrian, having already been presented to me by the Baron d'Estournelles.

The customary preliminaries being got over with all possible dispatch, the business of the arbitration was at once formally entered upon.

A translation of the arbitration bond that has been signed by the parties interested is herewith respectfully inclosed.

I have, &c.
(Signed) THOS. F. READE.

Inclosure in No. 42.

Arbitration Bond.

(Translation.)
(Praise to God.)

IT is agreed upon between the Prime Minister, Sid Mohamed El Aziz Bonattour, in his said quality, and the General of Brigade, Sid Hamida Benayad, in conformity with the "Mâron," dated the 7th of Djoumad Ettany, 1301 (4th April, 1884):—

That the claims of General Benayad, as stated in the Memorial submitted on the 28th May, 1883, by Messrs. Broadley and Pelletier, and the claims of the Tunisian Government relating to movable property against the said General, will be submitted to arbitration in conformity with the despatch addressed by his Excellency M. Waddington,

Ambassador of the French Republic in London, addressed to Lord Granville, Minister for Foreign Affairs of Great Britain, on the 29th December, 1883.

A true copy of the said despatch, in French, signed by two parties, is annexed to these presents.

The two parties have submitted to the judgment of the Arbitrators, and undertake not to set up any claim against each other relating to movable property for the time anterior to the date of the present Convention.

Written on the 8th Djoumad Ettany, 1301.

(Signed)

HAMIDA BENAYAD.
MOHD. AZIZ BONATTOR.

No. 43.

*Earl Granville to Sir S. Lumley.**

(No. 80. Confidential.)

Sir,

Foreign Office, April 16, 1884.

I TRANSMIT to your Excellency herewith, for your information, copy of a despatch from Her Majesty's Ambassador at Vienna relative to France and Morocco.†

I am, &c.

(Signed) GRANVILLE.

No. 44.

Earl Granville to Viscount Lyons.

(No. 349. Confidential.)

My Lord,

Foreign Office, April 16, 1884.

I TOOK occasion to-day to remind M. Waddington that I had spoken to him privately a little time ago respecting Morocco and the attitude of M. Ordega, the French Minister at Tangiers.

I said that the strong assurances which he had personally given me respecting the policy of the French Government in that country had been very agreeable to me, and had justified me in using soothing language to others, and even in expressing an opinion that there was a possibility that there might be some exaggeration in the reports of the different European Representatives on the subject.

But I said that information which I had lately received from various quarters as to the action and language of M. Ordega was very alarming.

It appeared to me that these were not only indiscreet if the policy of the French Government were such as M. Waddington had described to me, but would be so even if an aggressive policy had been that intended by France.

I asked whether M. Ferry, to whom his Excellency had said he had written, had confirmed his views.

M. Waddington said he had not received any reply, but that it was one of the subjects on which he would speak to M. Ferry on his arrival at Paris.

I expressed my satisfaction, as I was sure that, if something was not done, there would be an explosion of feeling on the subject.

I am, &c.

(Signed) GRANVILLE.

No. 45.

Mr. Surtees to Sir J. Pauncefoot.—(Received April 17.)

*The Franco-English Tunisian Esparto Fibre Supply Company (Limited),
72, Bishopsgate Street Within, April 16, 1884.*

Sir,

REFERRING to the communication I had the honour to receive from you on the 8th instant, in which you favoured the Company with the information that its claim at Tunis was still under the consideration of the two Governments, as to whether it comes under the terms of arrangement for the settlement of British claims, I now beg most respectfully to ask whether the Company may expect an early decision on this point, as

* Also to Mr. de Bunsen (No. 47), and Sir J. Drummond Hay (No. 15).

† No. 28.

considerable apprehension has been caused this morning by a telegram received from a large shareholder now in Tunis, stating that all the cases now before the Arbitrators will be completed in ten days, and that the Arbitrators will take their departure immediately afterwards.

I beg further to ask whether I am right in assuming, by the last communication I had the honour of receiving from the Foreign Office, that the Law Officers of the Crown had decided in favour of the Company on the point raised by the French officials.

I am, &c.

(Signed) R. W. SURTEES, Secretary.

No. 46.

Earl Granville to Viscount Lyons.

(No. 336.)

My Lord,

Foreign Office, April 17, 1884.

IN conversation with the French Ambassador on the 10th instant, I asked his Excellency about the Bill for the Financial Reorganization of Tunis lately passed by the French Chambers, which I understood involved the abolition of the Tunis Finance Commission, and I observed that Her Majesty's Government had received no communication on the subject from the French Government.

M. Waddington said the reason was that the Law had only just been passed; but it was an excellent prospect for the creditors, who would be arranged with to their satisfaction.

His Excellency added that his Government were quite aware of the existing Treaty rights, and that Her Majesty's Government would probably receive a communication from the French Government on the subject very soon.

I am, &c.

(Signed) GRANVILLE.

No. 47.

Earl Granville to M. Waddington.

M. l'Ambassadeur,

Foreign Office, April 17, 1884.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of the 29th ultimo, informing me that M. de Blignières had been nominated by the French Government as their Arbitrator for the settlement of English claims in Tunis.

I have received the news of this appointment with much satisfaction, and have since learnt that both Arbitrators have arrived at Tunis, and have entered on their functions. In the same letter, your Excellency submitted several grounds on which your Government contended that the claim of the Franco-English-Tunisian Esparto Company was not within the category of claims to be referred to arbitration under the Agreement recently come to between the English and French Governments.

Her Majesty's Government have carefully considered the objections raised, and they hope that they will not be pressed, as the exclusion of that case from the general mode of settlement agreed upon would be contrary to the spirit of the friendly Agreement arrived at by the two Governments with respect to the outstanding British claims.

It is true that Article VII of the Concession to M. Duplessis is binding also on the Company, and Her Majesty's Government admit that, had the Company been compelled to resort to litigation, they must have instituted proceedings before the French Tribunal.

But the object of the arrangement between the two Governments was to withdraw all outstanding claims of British subjects against the Government of Tunis from the French Tribunals which were about to be established, and to dispose of them in a speedy, inexpensive, and equitable manner. Her Majesty's Government, having so understood the arrangement, informed the Company that their claim would be dealt with under it, and that, if not settled amicably, recourse must be had to arbitration. As regards the objection, that the claim relates to land and comes within the exception in the Agreement, I would observe that the case does not involve any title to land; otherwise the objection would no doubt be unanswerable. But the claim is not for the possession of land, but only

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for damages for not being permitted to construct a tramway, and is therefore personal in its character.

Finally, I would point out that the Company is a British Company, registered in London.

I beg that your Excellency will submit these considerations to your Government, and I venture to express the hope that, as this is now the only point in difference between the two Governments under the recent arrangement for the settlement of outstanding British claims, and as the highest guarantees are afforded for a speedy and equitable decision of the case by the appointment of the distinguished Arbitrators selected, the French Government will not press their objections, and expose the Company to the delay and expense of legal proceedings.

I have, &c.
(Signed) GRANVILLE.

No. 48.

Earl Granville to Mr. Reade.

(No. 8.)
(Telegraphic.)

Foreign Office, April 18, 1884, 5.15 P.M.

FRENCH Government have been urged not to press their objections to admission of claim of Esparto Company to arbitration.

Particulars by post.

No. 49.

*Earl Granville to Mr. Reade.**

(No. 16. Ext. No. 8.)

My Lord,

Foreign Office, April 18, 1884.

I TRANSMIT to your Excellency herewith, for your information, copies of a correspondence which has passed between the French Ambassador at this Court and myself relative to the case of the Franco-English-Tunisian Esparto Company at Tunis.†

I am, &c.

(Signed) GRANVILLE.

No. 50.

Consul Playfair to Earl Granville.—(Received April 19, 1.22 P.M.)

(Telegraphic.)

Algiers, April 19, 1884, 10.50 A.M.

TROOPS assembling at Ain [? Shaïr], near Figuig, not very important. More hereafter.

No. 51.

Mr. Reade to Earl Granville.—(Received April 20.)

(No. 12.)

(Telegraphic.)

Tunis, April 19, 1884.

TUNIS "Official Journal" publishes French Law of the 9th instant, which ratifies Financial Convention concluded with Bey. The English Controllers will probably require instructions for their guidance. Until informed as to wishes of Her Majesty's Government I shall not know what to say to them.

* Also to Lord Lyons (No. 337).

† See Part VI, No. 166; and *ante*, No. 47.

No. 52.

Sir J. Drummond Hay to Earl Granville.—(Received April 21.)

(No. 31.)

My Lord,

Tangier, April 9, 1884.

I HAVE the honour to inform your Lordship that I have sent the following telegram in cypher to your Lordship:—

"An officer dispatched by His Majesty the Sultan has arrived at Tangier with orders to communicate with the British, French, German, Italian, and Spanish Ministers on the subject of the protection afforded by the French Government to the Great Shereef of Wazan and other Moorish subjects, which has brought about a critical state of affairs in this country.

"This officer had a secret interview with me this morning; he will call upon the French Minister in the afternoon, and to-morrow he will pay visits to the other Ministers.

"The officer informed me that the Sultan has declared his inability to govern this country unless a stop is put to such irregular protection, which will destroy all security of property and imperil commercial transactions in the markets of the interior.

"I shall wait till I learn what has been the result of the officer's communication with the Ministers before reporting to your Lordship.

"The man who was flogged to death by the son of the Shereef of Wazan was not the Secretary (as reported in my despatch No. 28 of the 2nd April), but the steward of the Governor of Wazan. They poured boiling water over him during the flogging.

"P.S.—I learn that no presents have been sent by the Sultan to the British and German Governments, as I had reported in my despatch of the 7th instant.

"The Moorish officer has had an interview with M. Ordega, who declines to listen to any account of the conduct of the Shereef's son except that contained in the Report drawn up by the Secretary of the French Legation whom he had dispatched to Wazan. M. Ordega said that there were no grounds for the Sultan being under any apprehensions as to the proceedings of the Shereef of Wazan; and he insists upon the Sultan acceding to his demand for the dismissal of Abd-el-Gebbar, the Governor of Wazan.

"It has been decided that Hadj Mohammed Torres, the Acting Minister for Foreign Affairs, should communicate with the German, Italian, and Spanish Ministers on this subject, and not the Sultan's officer, for fear of rousing French susceptibilities."

I have, &c.

(Signed) J. H. DRUMMOND HAY.

P.S.—I regret that as yet I have been unable to procure any black-edged paper.

J. H. D. H.

No. 53.

Sir J. Drummond Hay to Earl Granville.—(Received April 21.)

(No. 32.)

My Lord,

Tangier, April 9, 1884.

WITH reference to the report* received from the interior that the French had assembled a force on the western frontier of Algeria, I learn from a trustworthy source that some French troops have been stationed at a site called Meshreea, on Algerian territory, to protect the workmen who are building a station on the railway which the French are constructing with the alleged intention of extending it to Timbuctoo. The line is passing by Sebdon and Areesha, which are on French territory.

Kador Ben Hamza, Chief of the Oolad Sidi Sheikh, since Ben Suleiman was put to death, receives, as I am informed, 10,000 dollars a-month from the Algerian Government to keep the peace and prevent his tribe from molesting the men working on the railway. His son is said to have been appointed an Agha by the French.

I am told that this line of railway cannot succeed, for when it is passed through the Sahara the moveable sands will stop traffic, and that it would require thousands of workmen to keep the line clear.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

P.S.—I regret that as yet I have been unable to procure any black-edged paper.

J. H. D. H.

* See my despatch No. 25 of March 29, No. 23, *ante*.

F.O. 403/52

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PUBLIC RECORD OFFICE, LONDON

Sir J. Drummond Hay to Earl Granville.—(Received April 21.)

(No. 33. Most Confidential.)

My Lord,

Tangier, April 9, 1884.

I HAVE the honour to transmit the translation of a letter addressed to me by the Vizir by order of the Sultan, informing me that Kaid Bushta-el-Baghdady, an officer of the Court, had been directed to proceed to Tangier to deliver a letter addressed to the French Minister by the Vizir, and also one to the German Minister, in which he is informed, in the same manner as I have been, that this officer has received instructions from His Shereefian Majesty to communicate with us respecting the critical state of affairs, which His Shereefian Majesty considers has been produced in consequence of the irregular protection afforded by the French Minister to the Shereef of Wazan and to other Moorish subjects, and that Kaid Bushta has orders to apply to me secretly for advice.

I had an interview with Kaid Bushta at the house of Hadj Mohammed Torres, the Acting Minister for Foreign Affairs. I defer making known to your Lordship the language which was held to me, as I have requested, for my better recollection, that a Memorandum should be drawn up embodying the instructions Kaid Bushta had received from the Sultan, and all that he had to communicate upon this subject, a translation of which I shall have the honour to transmit to your Lordship in a separate despatch.

As I had learnt in the course of conversation with the German Minister that the Government at Berlin do not appear to take much interest in affairs of Morocco, whilst, on the other hand, I was aware that both the Italian and Spanish Governments desire to uphold the independence of the Sultan and the integrity of his dominions, and that their respective Representatives entertain very decided views upon the subject, it occurred to me that if the Sultan's officer communicated the instructions he had received to the German Minister and to myself only without making any communication to the Representatives of Italy and Spain, these latter might feel surprised and even offended. Under these circumstances, and as Kaid Bushta and Hadj Mohammed Torres informed me that they had been directed to attend to my counsels, I suggested that the fact of their having delivered any letter to me should be kept secret, that the letter to the German Minister should be withheld, and that Hadj Mohammed Torres should call upon the Ministers of Italy and Spain as well as of Germany, and make identic communications to them, requesting that they make known to their respective Governments the critical position in which the Sultan is placed, and the apprehensions he entertains regarding the maintenance of his authority and of order in his dominions.

This suggestion has been acted upon, and Hadj Mohammed Torres has visited the three Representatives as well as myself: a Memorandum is being prepared of the language he held, a copy of which will be delivered to each of us.

Kaid Bushta and Hadj Mohammed Torres considered it desirable, in order to avoid giving grounds for irritation to the French Minister, that the communication should not be made by the former, but by Hadj Mohammed Torres.

Kaid Bushta has, I am informed, written to the Sultan returning the letter addressed to the German Minister, and requesting that it be replaced by a Shereefian letter of the same date to Hadj Mohammed Torres, directing him to communicate with the Ministers of Great Britain, Germany, Italy, and Spain, so that if the question is asked by any one of the Representatives upon what authority he had made these communications, he will be enabled to exhibit the Sultan's letter.

Under these circumstances, I think your Lordship will deem it advisable to keep secret from other Governments the fact of a letter having been received by me from the Vizir upon this subject.

With regard to the demand of the French Minister for the removal of Cid Abd-el-Gebbar from the Government of Wazan, as it is to be apprehended that should he remain there Cid Mohammed, the son of the Shereef, may commit some fresh outrage, which the Governor would be unable to prevent, as the Shereef's son would be supported by his numerous dependents, I suggested that the Sultan should be advised to summon Cid Abd-el-Gebbar to the Court to give an account of his proceedings, and to detain him there for the present, while some other officer is selected by His Shereefian Majesty to remain in charge of the Government of Wazan.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Vizir Mohammed Ben Alarby Ben-el-Mukhtar to Sir J. Drummond Hay.

(Translation.)

(Secret.)

(After usual compliments.)

Meknez, II Jumad 1, 1301 (March 29, 1883).

THE infractions of established regulations are known to you. They continue and are on the increase. His Shereefian Majesty has dispatched his faithful servant, Kaid Bushta Ben-el-Baghdady, to confer with him (the French Minister) on this state of affairs and to treat upon it with him, after seeing you secretly, if it suits you; or, should you prefer it, the communication could be made through the Secretary, Cid Ahmed-el-Kerdoody. He will expose to you the state of affairs, so that you may point out how he should proceed in treating (with the French Minister).

Our Lord the Sultan ordered us to write to you, so that you may receive him (Kaid Bushta), and indicate to him your opinion, or that this might be effected through the aforesaid medium, should it not suit you to see him (Kaid Bushta).

Finished II Jumad 1, 1301.

(Signed) MOHAMMED BEN ALARBY BEN-EL-MUKHTAR.

No. 55.

Earl De La Warr to Sir J. Pauncefote.—(Received April 21.)

(Private.)

Dear Sir Julian,

Buckhurst, Withyham, Sussex, April 20, 1884.

I THINK it well to inform you that the proposal to refer some of the claims in the Benayad case at Tunis to the Financial Commission has caused some uncomfortable feeling.

The matter having been referred to arbitration was considered quite satisfactory, and, whatever the result might be, would have been unhesitatingly accepted.

But I fear that any decision of the Financial Commission would be unavoidably regarded as a partial one.

Yours, &c.
(Signed) DE LA WARR.

No. 56.

Mr. Reade to Earl Granville.—(Received April 21, 11 P.M.)

(No. 13.)

(Telegraphic.)

Tunis, April 21, 1884, 4.40 P.M.

AN extract from Sir R. Wood's despatch to your Lordship, marked No. 51, and dated 18th November, 1873, respecting Benayad's difficulties with Tunisian Government, would be of great service in furthering ends of justice. Can I furnish Arbitrators with copy of it?

No. 57.

*Earl Granville to Lord Amthill.**

(No. 94.)

My Lord,

Foreign Office, April 21, 1884.

I TRANSMIT herewith, for your Excellency's information, copy of a despatch which I have addressed to Her Majesty's Ambassador at Paris,† recording a conversation which has taken place between the French Ambassador and myself relative to Tunisian finance.

I am, &c.
(Signed) GRANVILLE.

* Also to Sir A. Paget (No. 53), Sir S. Lumley (No. 84), and Mr. Reade (No. 17).
† No. 44.

*Earl Granville to Lord Ampthill.**

(No. 95. Confidential.)

My Lord,

Foreign Office, April 21, 1884.

I TRANSMIT herewith, for your Excellency's information, copy of a despatch, as marked in the margin,† from Her Majesty's Minister in Morocco, relating to that country and France, and reporting the language held by M. Ordega to the Spanish Minister at Tangier on the 1st instant.

I am, &c.
(Signed) GRANVILLE.

Earl Granville to Earl De La Warr.

Dear Lord De La Warr,

Foreign Office, April 22, 1884.

IN reply to your letter of the 20th instant, I think I cannot do better than draw your attention to the passage marked on page 30 of the accompanying Parliamentary paper.

You will see that the French Government declined to refer to arbitration any claims which were within the competence of the Financial Commission, and had not been presented to the Commission before the 20th February, 1870, at which date the debts of the Tunisian Government were definitively scheduled.

But they agreed to examine the question whether the non-adjudication of such claims by the Commission was due to causes for which the claimant was not responsible, and if, on reference to the Commission, such proved to be the case, the claim was to be entertained by the Arbitrators.

We have not heard of any claim being referred for arbitration to the Financial Commission, nor of any departure from the terms of the agreement arrived at between the two Governments.

I am, &c.
(Signed) GRANVILLE.

Sir J. Drummond Hay to Earl Granville.—(Received April 23.)

(No. 34. Confidential.)

My Lord,

Tangier, April 11, 1884.

WITH reference to my despatches Nos. 31 and 33 of the 9th instant, I have the honour to inform your Lordship that Kaid Bushta and Hadj Mohammed Torres have communicated to me secretly the result of their interview with the French Minister on the 8th instant.

They informed me that M. Ordega had in the first instance, when Kaid Bushta made known the object of their visit, replied, in very abrupt and harsh language, that he would not listen to any representation regarding the protection afforded to the Shereef of Wazan, or to charges brought against his son, which he was convinced had not the slightest foundation; that he would address a reply to the Vizir in that sense, and Kaid Bushta could return with it when he pleased; that he had demanded the dismissal of Cid Abd-el-Gebbar from the Government of Wazan, and that he expected the Sultan would comply at once with his request.

Kaid Bushta proceeded to relate that, having allowed a little time for M. Ordega to compose himself, he observed that he trusted he would not refuse to hear what the Sultan had directed him to communicate not only regarding the Shereef, but also on other matters.

M. Ordega having consented, Kaid Bushta made known to him the outrageous proceedings of the son of the Shereef in having arrested and bastinadoed Hadj

* Also to Sir A. Paget (No. 54), and Sir S. Lumley (No. 85).
† No. 30.

Mohammed Jermoomy,* the steward and secretary of the Governor of Wazan, and in having caused boiling water to be poured over him during the flogging, his death ensuing a few days afterwards. Kaid Bushta also told M. Ordega that the Shereef's son had directed his dependents to arrest certain officials appointed by the Sultan for the administration of the government of Wazan, but that they had taken refuge in a sanctuary, except one named Ahmed Sebay, who was flogged and imprisoned; that the Shereef's son had acted in this outrageous manner since he had returned from Tangier, after obtaining French protection.

M. Ordega replied that all these charges against the Shereef's son were unfounded, and that a Report had been made to him by the Secretary of the French Legation, whom he had sent to Wazan, and who had heard the evidence of witnesses proving that the charges were false, that the Governor of Wazan had sent poison to Jermoomy, after he had been released from prison and had quite recovered from the flogging, and that the wife of Jermoomy had deposed that her husband had died from poison.

Kaid Bushta observed that the wife, terrified by threats of violence, may have made such a statement, but it was unreasonable to suppose that the Governor of Wazan would have sent poison to his particular friend and the manager of his property.

M. Ordega repeated, "Ask my secretary and the Chancellor" (they were present); "they will tell you the charges are false."

Kaid Bushta replied that they had other evidence from witnesses who were not the dependents of the Shereef.

M. Ordega observed that they were all unworthy of credence, being suborned or bribed, and again repeated, "Ask my secretary."

M. Ordega complained of the conduct of the Governor of Wazan, on account of his having neglected to show proper attention to the officers of his Legation on their arrival.

Kaid Bushta replied that the Governor was not to blame, for these officers had not brought any letter of introduction, as is usual on such occasions, from the Minister for Foreign Affairs or from the Basha of Tangier, nor had they even written to Cid Abd-el-Gebbar to apprise him of their arrival.

Kaid Bushta then mentioned to M. Ordega how the Shereef's son had been in communication with various tribes, and had called upon them to buy arms and horses, and to be ready to present themselves at Wazan when required; that the Governors of several provinces had written to the Sultan to declare that they could not carry on their government, as many persons of bad character, taking advantage of the agitation produced by these intrigues, and pretending to be protected by the Shereef, were committing, and would commit, lawless acts, creating great alarm amongst the peaceful inhabitants, and rendering it unsafe for the agents of European merchants to travel in the country or frequent the markets for purposes of trade.

M. Ordega replied that he did not believe that the Shereef's son was capable of having brought about this state of affairs, and that he (M. Ordega) was prepared to guarantee that no armed force would be assembled at Wazan by the Shereef's son, and that tranquillity would be restored if the Sultan would dismiss from office the Governor of Wazan, as he had demanded.

M. Ordega proceeded to assure Kaid Bushta that he was actuated by the most friendly sentiments towards the Sultan, and held a high opinion of His Shereefian Majesty in every respect, though he considered he was surrounded by evil counsellors. M. Ordega further gave the Kaid to understand that other foreign Governments, and their Ministers at Tangier, approved of his proceedings, "except," he added, "the English; beware of them, and, above all, of listening to their counsels."

Kaid Bushta next spoke of French protection having been afforded to the son of Hadj Aly, the late Governor of Larache, who had been given some office by the Sultan, at the request of the eldest son of the Shereef, with whom he is connected by marriage.

M. Ordega replied that French protection had not been extended to him, but that he had presented himself at the French Legation, and a letter of recommendation had been given to him for the Governor of Larache.

I may here remark that such letters of recommendation are equivalent to protection, for no Moorish authority would venture to exercise jurisdiction over a Moor holding such a document from the French Minister.

Kaid Bushta then related how one of the Sultan's collectors of taxes in Reef, named Mohammed Ben Hamu, had been granted protection by the French Minister, and was

* There was an error in the name of the murdered man, as given in my despatch No. 27 of April 2.
† They were sent for.—J. H. D. H.

fomenting a rebellious spirit in the Reef, and had been seeking to purchase land on the coast near Melilla, with the intention of carrying on a smuggling trade. He reminded M. Ordega that this man had been brought to Tangier in consequence of the representation that had been made by the French Legation some months ago; that he was indebted to a French-protected Jew in the sum of 17,000 dollars; that on his arrival he was put into prison at the request of the French Legation, and his lands in Reef sold to pay off the debt to the Jew, though it had been subsequently discovered, and a document to that effect was in the hands of the Moorish Government, that no such debt existed, and that it had been a conspiracy between the Jew and Ben Hamu to avoid payment of a large sum of money that the latter owed to the Treasury on account of taxes. Ben Hamu had been released from prison by the French Legation, and protection was afforded to him.

The French Minister replied that this Moor had been harshly dealt with, and therefore French protection had been granted; but that if the Moorish Government would restore him the lands that had been sold M. Ordega would send for him to Tangier, and require that he repay the 17,000 dollars and desist from his intention of purchasing a site on the coast of Reef for the purposes of illicit trade, and would require that he should not for the future dwell near the coast.

Kaid Bushta replied that the lands had been sold at the demand of the French Legation to pay Ben Hamu's alleged debts. Lands sold, he observed, cannot be restored, and therefore he could not entertain M. Ordega's proposal.

The impression left on Kaid Bushta, as he informs me, was that no satisfaction is to be obtained from M. Ordega for the various grievances he had specified, though assurances were repeatedly given that if the Sultan attended to M. Ordega's demands and behests he would take measures to allay the agitation which His Shereefian Majesty apprehends, and would induce the Shereef to extend the hand of friendship to His Majesty. Assuring Kaid Bushta that the Sultan had no better friend than himself, M. Ordega added that France had dispatched forces to conquer lands near India and in other parts, and does not desire to invade Morocco.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

P.S.—With regard to the outrageous proceedings of the Shereef's son at Wazan, Hadj Mohammed Torres put into my hands a letter he had received from the Governor, Cid Abd-el-Gebbar, of which I inclose a copy.

J. H. D. H.

Inclosure in No. 60.

The Governor of Wazan to Hadj A. Torres.

(Translation.)

From the slave of God, Abd-el-Gebbar Ben Abd-el-Aly Alhassany, God assist him, to the Fakeeh and Naib of our Lord, the Sultan, Cid Hadj Alarby Torres; the peace of God and His blessing be upon you!

BE it known to you that our relative, the son of Cid Hadj Abdessalam,* had gone to visit his father at Tangier last month, and on his return to the Sanctuary at Wazan he sent his dependents to arrest the officers employed by the Government, such as the Superintendent of the Market, the Administrator of the Revenue, and the "Nadir" (the Superintendent of Mosque property), with the intention of giving them orders as he pleased, and thus destroy the authority of the Government. The Superintendent of the Market, the Administrator of the Revenue, and the "Nadir" escaped, but the Inspector of Inheritances, Ahmed Sebay, was arrested, flogged, and imprisoned. The merchant, Hadj Mohammed Jermoomy,† was arrested and bastinadoed, and boiling water was poured over him during the flogging, so that pieces of his flesh fell off, and thus they caused his death (may God have mercy on his soul), and this without justification. The reason given was that his father, Cid Hadj Abdessalam, had induced him to act thus, since he had obtained French protection. Is this protection granted so that people may be treated with injustice, and even put to death? Those persons who have supported the

* The Great Shereef of Wazan.

† A friend of the Governor and the manager of his affairs.

Shereef in this are mentioned in the margin, and they are always seated with him as counsellors.*

Is such a state of things to be permitted? We request you to speak to his protector, and treat about this.

We had sent to Cid Mohammed Bargash the notarial document certifying how the death of the said person took place. He has not returned it to us; we hope it has not been lost.

We give you all this information as directed by His Shereefian Majesty, and I inclose His Majesty's orders to us; which read and return. Peace!

Il Jumada 4, 1301 (April 1, 1884).

No. 61.

Sir J. Drummond Hay to Earl Granville.—(Received April 23.)

(No. 35. Confidential.)

My Lord,

Tangier, April 12, 1884.

I HAVE the honour to transmit a translation of extracts from the Report of an emissary who had been sent secretly to Wazan to obtain information regarding the proceedings of the Shereef's son.

The information confirms the supposition that a conspiracy, the ramifications of which are widely spread, is at work to bring about the downfall of the Sultan and the annexation of Morocco to France, or a Protectorate under the Government of the Shereef of Wazan.

It is possible that the French Government have not cognizance of this grave state of affairs, brought about by the protection granted to the Shereef; but I can hardly suppose that M. Ordega is ignorant of what is passing, and am inclined to believe that he secretly instigates and encourages the plots for the destruction of this Government.

The document was given to me confidentially. Information received from other channels, as also the language of Kaid Bushta, show that the account given by the emissary is worthy of credence.

With reference to that passage in the inclosed Memorandum where it is mentioned that the villagers of Tardent are protected by the United States' Consul-General, Colonel Mathews, I take this opportunity of mentioning that it is reported that he protects a considerable number of people in various parts of the country, especially in the Province of Zerhon, near Fez. These persons are not inserted in any list which has been presented to the authorities, but the favoured parties are given letters of recommendation to the Governor of the Interior, such as the French Minister has given to the son of the late Governor of Larache.† These letters are regarded by the authorities as equivalent to protection. I am assured that these letters are not issued unless liberally paid for.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 61.

Memorandum of Information obtained by an Emissary sent to Wazan.—(Communicated to Sir J. Drummond Hay, April 11, 1884.)

(Translation.)

IT is decided in Wazan to whom protection is to be extended. Applicants present themselves to the Shereef's son, Cid Mohammed; he gives a letter to his father enumerating the persons to be protected; one of these takes the letter to Tangier, and there, safe under French protection, orders are given which are very significant of the state of affairs, if one takes into consideration what is reported about the inclination of certain frontier tribes to accept French rule.

The directions given by the Shereef are as follows:—

1. Keep secret the protection granted unless it happens that the authorities are about to take action against you.

* Shereef Ben Abdessalam Ben Alarby, Shereef Ben Abd-el-Jaleel, Shereef Taber Ben Mekky, Tsamy-el-Guilem, Aly Ben Srave, Selam Tunt, Ahmed Tselmuny Ordeyy.

† See my despatch No. 34 of April 11, No. 61, ante.

2. Feign submission to the authorities of the Sultan.

3. Be prepared with horse and arms for the day when notice is given that your services are required.

With such instructions it is difficult to ascertain the number of persons protected by the French, which will only be divulged when some important event occurs.

The tribes in which these protected persons principally reside are Arhona, Masmuda, Semsar, Fesian (villages of Had, Ulad Agarl, and Biban), Beni Malek (village of Hadj Ben Jelul), Sâhel (village of Bufferij, and the chief people of the villages of Mejlan, Eshim, Medshar, Alrush), Beni Aros (villages of Ain Hadid and Tardent—the latter are protected by the American Consul-General).

No mention is made in the list of the well-known and regular dependents of the Shereef of Wazan. The tribe of Beni Ghosfit hesitate to openly accept protection, as twenty-eight of their tribe are in prison. The Shereef of Wazan is intervening with the Basha, and exerting himself to obtain their release; the result is awaited before they decide.

The Arabs of the plains who are discontented with the Government of the Sultan would, at the Shereef's requisition, rise in his favour, and accept even French domination. They are ripe for rebellion; there is a net of conspirators formed from the Sahara to the Reef.

No. 62.

Sir J. Drummond Hay to Earl Granville.—(Received April 23.)

(No. 36.)

My Lord,

Tangier, April 12, 1884.

WITH reference to my despatch No. 33 of the 9th instant, I have the honour to transmit translations of a letter addressed to me by Hadj Mohammed Torres, the Acting Minister for Foreign Affairs, and of a Memorandum of the language he had held to me respecting the critical state of affairs produced in this country in consequence of the irregular protection afforded by the French Government to the Shereef of Wazan and the acts of his son, who represents him as Spiritual Chief at that town.

Hadj Mohammed Torres mentions in his letter that identic Memoranda have been forwarded to the Ministers of Germany, Italy, and Spain, and he requests me, as Representative of Austria-Hungary, to forward a copy to Vienna.

I have informed Hadj Mohammed Torres that I shall lose no time in transmitting translations of the Memorandum to the Governments of Great Britain and of Austria-Hungary.

I beg to draw your Lordship's especial attention to the reasons given in the Memorandum why the Sultan considers the protection afforded to the Shereef to be contrary to the terms, or at any rate to the spirit, of the Convention of Madrid, where it is expressly stipulated that an "employé" of the Government cannot be protected. Though the Shereef is a religious authority, he has been employed by His Shereefian Majesty,* as his forefathers were by the Sultan's ancestors, in mediating to restore peace and order in rebellious or disturbed districts, for which services, lands, and privileges were granted to the Shereefs of Wazan; Hadj Abdessalam is therefore, with good grounds, regarded as an "employé" of the Government.

That the Sultan can no longer avail himself of the services of the Shereef when placed under the protection, and consequently direction, of a foreign Government, appears to stand to reason. It would place His Majesty in a false position, for he would have to seek the permission of the French Government, or their Minister, before giving directions to the protected Shereef, and it would depend entirely on the good-will of the former whether the Shereef would use his influence to restore order or otherwise.

The protection afforded to Ben Hamu, who was a collector of taxes in Reef, also appears to be against Treaty, for he was an "employé" of the Sultan. Since his release from prison, at the request of the French, he returned to Reef to foment a rebellious spirit amongst the inhabitants of that district.

That protection is afforded to the numerous dependents of the Shereef is proved by the fact that the complaints and claims of those persons have lately been brought under the cognizance of Hadj Mohammed Torres by the French Legation, and a requisition made that they be settled.

Kaid Bushta says that, when passing through the distant province of Duguella,

* See Article V.

considerable agitation prevailed there, and the Governor pointed out several persons who were holding seditious language, but he did not venture to arrest them for fear of their being protected; he begged Kaid Bushta, who is an officer of high rank at the Court, to give orders for the arrest of four of the chief offenders. This was done, and the agitation ceased.

I have frequently pointed out to the Sultan and his Ministers that this Government and the arbitrary acts of Governors and Sheikhs render the people ripe for insurrection. It seems that the Sultan, aroused at length by the dangers which surround him, has issued orders to some of the Governors to refrain from acts of tyranny and extortion. It is too late. If the Shereef of Wazan is allowed to remain under protection and backed by the power of France, the downfall of the Government of the Sultan will take place at no very distant time, unless His Shereefian Majesty also places himself under their protection.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure 1 in No. 62.

Hadj Mohammed Torres to Sir J. Drummond Hay.

(Translation.)

(After usual compliments.)

Tangier, II Jumad 14, 1301 (April 11, 1884).

WE had communicated to you verbally that which is on the mind of His Shereefian Majesty regarding the injuries which have resulted from protection being afforded contrary to Treaty, but as it may happen that our language has not been sufficiently explicit we have prepared the accompanying Memorandum, and have to request that you forward it to your powerful and friendly Government.

As you are also the Political Agent of the great, powerful, and friendly Imperial and Royal Government of Austria-Hungary, we beg you to send them also a copy of this Memorandum, that they may be acquainted with all we have stated.

We have sent identic Memoranda to the Ministers of the friendly Governments of Germany, Italy, and Spain.

Peace and friendship!

(Signed) MOHAMMED TORRES.

Inclosure 2 in No. 62.

Memorandum.

(Translation.)

Praise to God!

INFRACTIONS of Treaty and of the regulations regarding protection have produced the most serious prejudice to this Government, so much so, that it has shaken the authority and power of His Shereefian Majesty and of his officers; the population is in a state of agitation, and some of the Governors have written to His Shereefian Majesty declaring that, in consequence of the protection afforded contrary to Treaty, they cannot conduct their Governments as before, for the people are showing a rebellious spirit from the proceedings of the dependents of the Shereef Hadj Abdessalam, of Wazan; the Governors declare that they cannot, for the future, be held responsible for the maintenance of security in the markets and on the public roads frequented by the agents of merchants and other people. In consequence of all this, His Shereefian Majesty has ordered us to explain to you clearly the circumstances, in order that you may make known to your powerful and friendly Government, which has always upheld the independence of Morocco, the difficult and straitened position of affairs, and the prejudice which is occasioned to His Shereefian Majesty. We request you to make it known to your Government, and we pray Almighty God that they, with their clear judgment, may seek for a remedy which may remove this very great evil, for the desire of His Shereefian Majesty is to remain in peace and friendship with the powerful French Republic, whose possessions adjoin these dominions. Moreover, His Shereefian Majesty has been repeatedly assured that they (the French) desire His Majesty's welfare and independence; His Majesty cannot, therefore, believe that they are aware, or that it has been clearly exposed to them, how grave are the injuries that have been produced by protection afforded contrary to Treaty. For this reason, His Shereefian Majesty is

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anxious that this should be brought under their notice through the medium of friendly nations, especially as His Majesty has confidence in their excellent judgment, as also in the sentiments of the powerful French Government, who desire the welfare and the tranquillity (of Morocco).

We will now relate various matters in support of our statements. In the first place, we have to make an exposition with regard to the case of Hadj Abdesselam, of Wazan, in order that it may be explained why it behoves that protection should not be confirmed to him. His forefathers were regarded by the ancestors of the Sultan as "Grandees" of the Government of the highest rank; their services were always at the disposal of the Sovereigns of Morocco in seeking to promote peace and to mediate between the tribes, whenever they were entrusted with such duties by the Government. On account of this (their rendering these services) they were dispensed from the payment of tithes, taxes, and other contributions, which are required from other inhabitants of towns, and the Treasury made no demand for payment on account of the advantages they derived from employing numerous dependents. Hadj Abdesselam alone has about eighty dependents granted to him in a document sealed by His Shereefian Majesty, and each of these has a family, and pays nothing to the Government. Now this Shereef does not continue to act as his ancestors had always acted, and His Majesty requires that the protection, which has caused him to deviate from the line of conduct of his ancestors, should be withdrawn from him.

We have also to make known to you that Cid Mohammed, the son of this Shereef, has acted in an outrageous manner, and has broken down the authority of the Government. Since he visited his father at Tangier and returned, his brother, Cid Alarby, wrote to him that a resident of Wazan, named Hadj Mohammed Jermoomy, had used injurious expressions regarding him and his father, upon which he (Cid Mohammed) caused Jermoomy to be arrested by his dependents and very severely flogged, boiling water being poured over his head (during the flogging), which produced collapse; he was then sent to prison, and guards, armed with guns, were placed over him—not the slightest regard being shown by Cid Mohammed for the authority of the Governor of Wazan. The Governor of Wazan, Cid Abd-el-Gebbar, is a relative of the father, and during twelve years has been employed by the Government, and is entrusted with the government of Wazan, and the business of the Sanctuary, and the farms by which it is supported. The regular course of procedure, if Cid Mohammed, son of Cid Hadj Abdesselam, had any question, would have been for him to present it to the Governor, Cid Abd-el-Gebbar, that he might have inquired into the case and have done justice. Should the Governor have failed to do justice, and Cid Mohammed considered himself in the position of a protected person, then it was his duty to refer his case to the Minister for Foreign Affairs, in accordance with the regulations regarding protected persons. But this Cid Mohammed has acted in a manner contrary to all reason, inasmuch that he even attempted to arrest others who were officers of the Government of Wazan, such as the "Mahteb" (the Superintendent of the Market), the officer in charge of the repairs of the Sanctuary, the Administrator for the receipt of the Taxes, as agreed upon in the Convention of Madrid, and the "Nadir" (Superintendent of Mosque property), and others. The said persons fled, and much agitation was created amongst the population. When these tidings reached the father, he did not take steps to punish his son either by imprisonment or otherwise, but rather, it would appear, that Hadj Abdesselam approved of what his son had done, which was caused by the warmth (support) of the protection granted to the father.

When the French Minister heard of these proceedings he sent his secretary and the Consul (to Wazan), but without giving any notice to the Minister for Foreign Affairs, nor even making any communication to the Governor of Tangier.* They arrived at Wazan, and made an inquiry, and Cid Mohammed, the son of the Shereef, declared that the man who had been flogged and tortured had died after having come out of prison, and that his death was caused by poison, which Cid Abd-el-Gebbar, the Governor of Wazan, had caused to be given to him.

These statements are false, for the evidence was concocted by the dependents of Cid Mohammed, who brought insidious pressure to bear upon the wife of the murdered man until she stated that Cid Abd-el-Gebbar had sent poison. Now Jermoomy was the Wakeel (Manager of Affairs) of Cid Abd-el-Gebbar, and his agent in all matters; how can it be supposed that he can have given him poison? The truth is, and there can be no doubt about it, Jermoomy died from the effects of the cruel treatment he had received from Cid Mohammed.

When the secretary and his deputy arrived at Wazan, and had reposed, they sent

* At Wazan they were the guests of Cid Mohammed.—J. H. D. H.

to the Governor of the town to say, "You have committed a fault, as you have omitted to do what is usual to guests who visit the town."

Cid Abd-el-Gebbar replied that he had not received any notice of their arrival either from the Governor of Tangier or from the Minister for Foreign Affairs, as is the rule on such occasions, and he added, "If you had sent me even a verbal message, I would have caused you to be treated in a becoming manner."

Then the Secretary and the Consul replied that Cid Abd-el-Gebbar would be held responsible for his conduct.

Amongst other events brought about by the injury caused through protection is, that every one who is of a disorderly disposition, and is disposed to create disturbances amongst the tribes, such as Beni Hassan, El Gharb, and the Mountains, presents himself to Cid Mohammed, who receives them, and says, "Every one who wishes to side with me must bring arms;" so these people are busy buying horses and guns. There is no doubt that these proceedings produce the greatest disorders; there will be no security for the property of merchants, which their agents convey to the markets of the tribes; there will be danger on the public roads, and the authority of the Government, and consequently commerce, will be destroyed.

We have further to state, with regard to the statement of the French Minister, that protection has been afforded by them to Hadj Abdesselam in consequence of the services he has rendered in bringing about tranquillity between the Moorish and French dominions, that those services were rendered in pursuance of orders given by the Sultan [whom God assist!], for it was His Shereefian Majesty who confided this duty to Hadj Abdesselam, as he had before confided a similar mission to the Kadi Ben Abd-el-Wahad (who is now Kadi at Saffi), who was accompanied by the present Basha of Larache, Cid Mohammed, son of Abu Mohammed-el-Shirgy, and that when Hadj Abdesselam proceeded on this mission, the Government gave him Shereefian letters to the Chiefs of the tribes, and expended much money on this account, as, indeed, large sums have been expended with the view of preserving friendship with the neighbouring French nation, in conformity with the sentiments which animate both parties.

Thus we have shown that he is in the service of the Government, and that it cannot be sanctioned that he should enter the service of another Government, for, should the Moorish Government at any time again require him (the Shereef) for similar services, as it has been the custom to require from his forefathers, he (the Shereef) would be unable to proceed to render them until he had consulted with another Power. The Moorish Government cannot consent to be placed in such a position as to depend upon the will of any one, or of those persons who they consider are in their service.

Can the French Government, whose judgment and understanding and regard for the maintenance of what is right are so well known, have accepted such a state of affairs?

There is another case of protection being afforded contrary to regulations, that is, the case of Hadj Mohammed Hamu, of Alkala, who was an Administrator in a district of Reef. It had been discovered that his conduct in the service of the Government had been very bad, and that he had wrongfully taken possession of property of the tribe; and further, that he had produced differences between the authorities in the Reef, and had caused losses in the property of the tribe, upon which the Governor arrested him, and he remained in prison. Then the French Minister brought forward a claim, stating that this person owed money to a French merchant. The Government attended to their claim with the view of proving their good-will, and sold that which he (Hamu) possessed, and then proceeded to pay the French merchant through the Representative at Tangier. Then the Minister demanded that he should be brought in chains to Tangier, and the Government agreed. Then the Minister listened to what he (Hamu) had to say, and believed him, and forthwith set him at liberty, although the Government still had claims against him. When Hamu returned to the tribe in Reef he recommenced his proceedings, creating disturbances, and fomenting discord, and tried to purchase land near Beni Bu Gaffer, not far from Melilla, in order to carry on a contraband trade there.

This is also one of the great evils which are destroying the authority and independence of the Government.

We have explained this to you, for we know that the desire of His Majesty is that you transmit it to your friendly Government, in order that they may take it into consideration, and in their wisdom seek for a remedy for the evil, and because we feel assured that your powerful Government desire that His Shereefian Majesty should continue to remain in peace and tranquillity with the powerful French Republic, and because it is believed that the great prejudice which results from these proceedings has not reached the notice of the French Government, and His Shereefian Majesty trusts

that, when it does reach them, they will do that which is expected from the excellent judgment and the sentiments which animate them, and their desire for what is right, and that they will shut the door against insurrection in the dominions of their neighbour Morocco, and will aid in upholding its independence as it was, so that friendship and good-will should prevail between the two Governments.

No. 63.

Mr. Nicolson to Earl Granville.—(Received April 23.)

(No. 43.)

My Lord,

Athens, April 16, 1884.

I HAVE the honour to state that I communicated yesterday the sense of your Lordship's telegram No. 1 of the 12th instant relative to the Benayed affair to the Minister for Foreign Affairs.

His Excellency expressed his concurrence with the suggestion of Her Majesty's Government to submit to arbitration the question as to which party should have possession of the ground until the other had vindicated his title before the competent Tribunal. He informed me that he would at once instruct the Greek Consul at Tunis to press this course upon his "administré," and, although he feared it was not within the competency of the Greek Government to compel their subject to accept the proposal, still he would employ his best endeavours to induce him to do so.

I have, &c.
(Signed) A. NICOLSON.

No. 64.

Consul-General Playfair to Earl Granville.—(Received April 23.)

(No. 2.)

My Lord,

Algiers, April 19, 1884.

ON my return to Algiers on the night of the 17th instant I found your Lordship's cypher telegram requiring me to ascertain whether there was any truth in the rumour, that French troops had assembled on the frontier of Morocco.

I immediately wrote to Vice-Consul Booze at Oran to ascertain, and I have just received from him a telegram, which I lost no time in forwarding in cypher to your Lordship:—"Troops assembled at Ain Sefra, near Figuig, not very important. More hereafter."

I have, &c.
(Signed) R. L. PLAYFAIR.

No. 65.

Earl Granville to Mr. Reade.

(No. 9.)

(Telegraphic.)

Foreign Office, April 23, 1884, 2.55 P.M.

YOUR telegram No. 13.

No objection to furnishing of extract if the Arbitrators are willing to receive such evidence.

No. 66.

Earl Granville to Mr. Reade.

(No. 18. Ext. 9.)

Sir,

Foreign Office, April 23, 1884.

I INFORMED you to-day by telegram, in reply to your inquiry of the 21st instant, that I had no objection to your submitting to the Arbitrators an extract from Sir R. Wood's despatch No. 51 of the 18th November, 1873, if they are willing to receive it as evidence in the Benayed case.

I have, &c.
(Signed) GRANVILLE.

No. 67.

Earl Granville to Mr. Reade.

(No. 10.)

(Telegraphic.)

Foreign Office, April 23, 1884, 3.20 P.M.

YOUR telegram No. 12.

Tunisian Finance.

See No. 5 to Dr. Arpa, inclosing copy of instructions to Lord Lyons.

Her Majesty's Government have not yet ascertained what the terms of conversion will be.

You can apply for instructions when asked by the English Controllers for advice.

No. 68.

Earl Granville to Mr. Reade.

(No. 19. Ext. 10.)

Sir,

Foreign Office, April 23, 1884.

IN reply to your telegram of the 19th instant upon the subject of Tunisian finance, I have to refer you to my despatch to Dr. Arpa No. 5 of the 11th February, inclosing copy of an instruction addressed to Her Majesty's Ambassador at Paris on the same day.

When asked by the English members of the Finance Commission for advice you can apply for instructions.

Her Majesty's Government have not yet ascertained what the terms of conversion will be.

I am, &c.
(Signed) GRANVILLE.

No. 69.

*Earl Granville to Lord Amthill.**

(No. 97. Confidential.)

My Lord,

Foreign Office, April 23, 1884.

I TRANSMIT to your Excellency herewith, for your information, copy of a despatch to Her Majesty's Ambassador at Paris,† which contains the record of a conversation with the French Ambassador at this Court relative to the attitude of France towards Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 70.

Earl Granville to Lord Amthill.‡

(No. 102. Confidential.)

My Lord,

Foreign Office, April 23, 1884.

I TRANSMIT to your Excellency herewith copy of a despatch relative to the state of relations between France and Morocco.§

I am, &c.
(Signed) GRANVILLE.

* Also to Sir A. Paget (No. 56), Sir S. Lumley (No. 83), Mr. de Bunsen (No. 49), and Sir J. Drummond Hay (No. 16).

† No. 44.

‡ Also to Sir A. Paget (No. 57), Sir S. Lumley (No. 86), Mr. de Bunsen (No. 50), and Viscount Lyons (No. 358).

§ No. 61.

Mr. Reade to Earl Granville.—(Received April 24, 11.30 P.M.)

(No. 14.)
(Telegraphic.)

Tunis, April 24, 1884, 5 P.M.

DURING the discussion of one of the Benayad claims before Arbitration Commission an unfortunate incident has occurred which has led to the withdrawal of the claimant's advocates. Although unable to form a definite opinion about it, I have reason to believe it will be satisfactorily explained by General Benayad.

Lord De La Warr to Sir J. Pauncefoot.—(Received April 25.)

Dear Sir Julian,

House of Lords, April 24, 1884.

I HAVE to thank you for your letters relative to the Benayad case, and I inclose a Memorandum, which may perhaps contain some information.

I would beg you not to take the trouble of returning it.

Yours, &c.
(Signed) DE LA WARR.

Inclosure in No. 72.

Memorandum.

NE peuvent être soumises à l'arbitrage, dit le Compromis, les réclamations antérieures au dit arrangement (23 Mars, 1870), c'est-à-dire, celles qui étant de la compétence de la Commission, n'auront pas été présentées à la Commission avant le 20 Février, 1870, date à laquelle les dettes du Gouvernement Tunisien ont été arrêtées. Ainsi le Compromis a eu soin de délimiter nettement la compétence du Tribunal Arbitral. Son jugement doit porter sur les réclamations inscrites en temps utile avant la Commission Financière et sur celles qui se sont produites, qui sont nées après.

Ainsi donc, s'il est démontré qu'une réclamation n'existait pas, n'était pas née au moment de la clôture de la dette, elle rentrera évidemment dans les attributions du Tribunal Arbitral.

Or, cette démonstration s'applique, pensons-nous, à la plus part des réclamations Benayad.

Reprenons-en rapidement l'examen dans l'ordre même où elles sont exposées dans notre Mémoire.

I.—Sidi Djoumi.

La réclamation Benayad est née depuis 1872. C'est en effet à cette date que le Lac desséché par les soins et avec les deniers de Benayad est devenu définitivement la propriété du Gouvernement par la rétrocession qui lui a été faite par le Khasnadar. Elle constitue donc une créance postérieure à la clôture de la dette, et elle ne pouvait être présentée à la Commission Financière, elle ne rentre pas dans sa compétence. Elle reste donc au nombre des questions qui, d'après le Compromis, rentrent dans les attributions du Tribunal Arbitral.

II.—Debdeba.

La livraison de la Debdeba n'a été faite qu'en Novembre 1870 (livraison de la clet).

L'État était tenu de payer à Benayad le matériel de l'installation.

La liquidation des comptes relative à cet établissement ne devait se faire que postérieurement à cette date. Donc la naissance de cette réclamation est postérieure à la clôture de la dette.

Le Tribunal Arbitral est compétent à en juger.

III.—Lumbroso.

Nous reconnaissons que cette créance est antérieure au 20 Février, 1870, et qu'elle aurait dû être inscrite avant cette date.

IV.—De Montes.

C'est une créance antérieure par son origine à 1870, et qui a été inscrite en temps utile. M. de Montes était créancier de Benayad. Benayad n'était à son tour que caution du Gouvernement: tout acte fait par M. de Montes, créancier principal, profitait à la caution, quant à la conservation de la créance. De Montes a présenté et réglé son compte avec la Commission en temps utile.

Dans ce compte arrêté entre De Montes et la Commission étaient compris les titres dont Benayad réclame aujourd'hui la restitution.

La créance, ayant été présentée en temps utile, est de la compétence du Tribunal Arbitral.

V.—Nathan Levy.

La liquidation de cette opération a eu lieu entre Novembre 1870 et Février 1871, ainsi que cela résulte de la défense même du Gouvernement (pp. 41 et 42).

La réclamation de Benayad est donc née postérieurement à la clôture de la dette. Elle rentre par là dans la compétence des Arbitres.

VI.—Solde Céréales.

Cette réclamation antérieure à 1870, et s'élevant à 3,346. Cafis est portée sur la note transmise par le Gouvernement à la Commission Financière le 16 Kaada, 1286 (15 Février, 1870). ("Défense du Gouvernement," pp. 50-51.) Elle est attestée également par le récépissé remis à Benayad par la Sous-Commission chargée de l'inscription.

Elle a été donc inscrite en temps utile et rentre sans conteste dans la compétence du Tribunal Arbitral.

VII.—Dépenses du Palais.

Les justifications que nous produisons à l'appui de ce chapitre sont toutes à un fraction minime près, de Novembre 1870, postérieures par conséquent à la clôture de la dette.

VIII.—(12 du Mémoire).

Le dépôt des Theskérés dont il s'agit a eu lieu à la suite d'une Conférence tenue à la Marsa chez le Premier Ministre le 8 Juin, 1882; et le Général Benayad en a réclamé la restitution parce que le Gouvernement n'avait pas rempli les engagements qu'il avait pris dans cette Conférence.

Rien dans tout cela qui puisse faire écarter cette réclamation.

Toutefois, du moment que les réclamations du Gouvernement dont l'origine remonte à une période antérieure à 1870 doivent être également forcloses par réciprocité, il n'y a pas à attacher grande importance à ce chef.

Resumons-nous. Sur huit Articles, déjà indiqués par le Gouvernement comme n'ayant pas été présentés en temps utile, sept sont postérieurs à la Commission, par leur naissance, ou bien ont été dûment inscrits avant la clôture de la dette.

Restent les quatre Articles suivants sur lesquels le Gouvernement ne s'est pas prononcé. Nous croyons utile, néanmoins, d'en dire un mot.

Réliquats Divers.

Ces comptes ont été liquidés postérieurement à la clôture de la dette. Ils sont tous de 1299 (1881), à part le fermage du plâtre, chef auquel nous renonçons.

Il en est de même pour l'Article 11 du Mémoire. "Intérêts de 418,000 piastres de 1870 à 1876." Ces dates parlent d'elles-mêmes.

Dîmes de Bizerte (Article 7 du Mémoire).

La perte sur les dîmes de Bizerte a eu lieu en l'été de 1870, ainsi que cela résulte de la "Défense du Gouvernement" (p. 63).

Hôtel de la Monnaie (Article 8 du Mémoire).

Le retour de l'Hôtel de la Monnaie au Gouvernement, sur lequel se fonde la réclamation Benayad, a eu lieu le 30 Mars, 1874, quatre ans après la clôture de la dette Tunisienne.

Ces quatre Articles sont donc à ajouter aux sept pour lesquels la compétence du Tribunal nous semble démontrée. Aucun accord n'est établi à ce sujet entre le Gouvernement et nous que celles-ci comme autres sont toutes d'une date postérieure à la clôture de la dette [sic].

Que si l'on contestait le bien fondé de ces conclusions, il nous semble évident que le Tribunal ne saurait le pénétrer du bien ou mal fondé qu'en ouvrant la discussion sur le fonds, et en entrant par conséquent dans l'examen de chacun des Articles.

No. 73.

Mr. K. Murray to Sir J. Pauncefote.—(Received April 25.)

*The London Chamber of Commerce, 84-85, King William Street,
London, April 24, 1884.*

Dear Sir,

WILL you kindly say if it would be convenient for you to receive Mr. Barrington Kennett—a member of the Council and Executive Committee of this Chamber—and myself, at any hour most suitable to yourself, on Thursday, the 1st May next, to consult with you, unofficially, as to representations which have been made to this Chamber by Messrs. McNaught, Pearse and Middleton, of London, as to difficulties which they have experienced in the course of trade on the coast of Soos, Western Africa, and with the Emperor of Morocco?*

Believe me, &c.
(Signed) KENRIC B. MURRAY, *Secretary.*

P.S.—I beg to inclose copy of an affidavit just received on the above question.
K. B. M.

Inclosure in No. 73.

Declaration of William John McNaught.

I, WILLIAM JOHN McNAUGHT, of the firm of McNaught, Pearse and Middleton, Merchants, of 9, Crosby Square, in the City of London, do solemnly and sincerely declare as follows:—

1. That in the capacity of agent and manager to the Sûs and North African Trading Company (Limited) I proceeded in the steam-ship "Garrawatt," in the month of February 1883, to the coast of Soos, and upon arrival there, proceeded to discharge the cargo of barley, rice, and general merchandize, meeting with no opposition whatever from the natives; in fact, they gave me every assistance in establishing the encampment, making roads, &c.

2. One Kaid Boazza, said to be an officer in the employ of the Moorish Government, came to the Company's station, and purchased for himself several camel loads of goods for which he is still indebted to the Company. He never informed me nor the resident agent of the Company that the trade we were engaged in was either contraband or illegal.

3. I succeeded in bartering a large portion of the cargo, and in the month of May left the port of Erksheesh, and returned to London with produce consisting of wax, wool, ostrich feathers, jewellery, specie, &c., leaving the balance of my cargo to be bartered, on the understanding that a second expedition should follow in a month to collect the value, &c.

4. Some three days before I left the coast an officer of the Sultan of Morocco, with a few soldiers, arrived at the camp, and declared the port opened, stating that the object of his visit was to invite the agent of the Company to the Moorish Court, in order that some compact might be made with the Sultan as to the carrying on of the trade in the future, he being desirous of treating with the English; upon an assurance being given that the Company's property should be protected the agent consented to go, an inventory being taken of the goods, a copy of which, I understand, is in the hands of Her Majesty's Minister at Tangier.

5. In the month of July following I received news that the property had been entirely

* I have seen Mr. Murray, and explained to him our grounds for non-interference in this case.—J. P.
—April 30, 1884.

looted, and a loss entailed on the Company of 8,954l. 19s. 1d., as per account rendered by me to Her Majesty's Minister at Tangier on the 30th October, 1883.

6. I never heard, when in Soos, anything to induce me to alter my opinion that the Province of Soos is entirely independent of any other Power, and this was confirmed when the Chiefs of the various tribes agreed to accompany the agent to the Court of the Sultan and were granted an interview, after which they returned to Soos. And I make this solemn declaration conscientiously believing the same to be true, and by virtue of the provision of the Statutory Declarations Act, 1835.

Subscribed and declared at 47, Gresham House, Old Broad Street, in the City of London, this 12th day of April, 1884.

(Signed) WM. McNAUGHT.

Before me,
(Signed) THOS. LANGTON, a Commissioner to administer
Oaths in the Supreme Court of Judicature
in England.

No. 74.

Earl Granville to Mr. Reade.

(No. 20.)

Sir,

Foreign Office, April 25, 1884.
WITH reference to my telegram No. 7 of the 15th April, I transmit to you herewith copy of a despatch from Her Majesty's Acting Chargé d'Affaires at Athens relative to the Gringa-Benayad dispute at Tunis.*

I am, &c.
(Signed) GRANVILLE.

No. 75.

Earl Granville to Sir S. Lumley.

(No. 87.)

Sir,

Foreign Office, April 25, 1884.
I TRANSMIT herewith, for your Excellency's information, copy of a despatch, as marked in the margin,† upon the subject of the redemption of the Tunisian debt.

I am, &c.
(Signed) GRANVILLE

No. 76.

Consul-General Playfair to Earl Granville.—(Received April 26.)

(No. 3.)

My Lord,

Algiers, April 21, 1884.
IN continuation of my despatch No. 2 dated the 19th instant, I have the honour to report that I have received a communication from Mr. Boozo, the Vice-Consul at Oran, of which the following is an extract:—

"I telegraphed that there was an assembly of troops at Ain Sefra, near Figuig, but that it was not of a very important nature. There is no threatening position for a movement on the south of Morocco except Ain Sefra. I believe that the troops are only *en observation*. They consist of two battalions of infantry, about 2,000 men; one company of the bataillon d'Afrique, 100 men; two squadrons of cavalry, 250 sabres; one battery of artillery, 80 men. Everything is quiet, and the trade with Tonat and Figuig goes on as usual. The only foundation for the rumour is that troops change garrison every six months, and this they have just been doing. I may assure you that no invasion of Morocco will take place without my reporting it to you."

Mr. Boozo is thoroughly well acquainted with all that takes place in the Province of Oran, and he has many friends and acquaintances amongst the Arabs of the south, who keep him well informed of French movements there.

At the same time I must express my opinion that the French are beginning to turn their attention to Morocco, and I should not be at all surprised if a repetition of what took place in Tunis were to occur there.

* No. 63.

† No. 32.

With an undefined boundary and turbulent tribes in the south the excuse need never be wanting. I cannot forget the events of 1880-81. I reported to Government* that a concentration of troops was taking place on the Tunisian frontier; M. B. St. Hilaire declared that this report was wholly unfounded.† The sequel is a matter of history.

I do not think that anything will be done during the approaching hot season, but if events should occur to excite suspicion I will ask your Lordship's authority to visit the western frontier, and convince myself by personal observation. It is well known that I am occupied in literary pursuits in the Colony, and I can travel anywhere without exciting the least suspicion.

I have, &c.
(Signed) R. L. PLAYFAIR.

No. 77.

Sir J. C. Lee to Lord E. Fitzmaurice.—(Received April 26.)

My Lord,

48, Gresham Street, London, April 25, 1884.

I BEG to hand you a copy of correspondence received from Cape Juby relating to the conduct of the Sheikh Abideen, who is instigated by the Sultan.

I have to call attention to the letter received from the Foreign Office on the 1st January, 1883, by the Chairman of the Company, Mr. H. Lee, M.P., and to a reply sent on the 20th January, 1883.

In the opinion of the Board we have a just claim against the Sultan for damages, but we are content to be advised by your Lordship.

Yours, &c.
The North-west African Company (Limited),
(Signed) J. C. LEE.

Inclosure in No. 77.

Extracts from a Letter received from the Managing Director of the Station at Cape Juby, North-west Africa, dated April 5, 1884.‡

Conditions made by Abideen Woold Bairook, dated March 15, 1884.

(Translation.)

I HAVE come to Cape Juby to meet with the merchant Mackenzie, for the purpose of doing away with the old Treaty that existed between the North-west African Company and my late brother, Sheikh Mohammed Bairook, and to have a new one under the following conditions, viz. :—

1. As the country belongs to us, therefore the Government and the laws at Cape Juby must be ours.
2. The said station of Cape Juby should be under the same conditions and regulations as any seaport town in Morocco—in customs, tithes, &c.
3. Money would be required for buildings, houses, warehouses, &c., on the station; the sum necessary for constructing these buildings shall be advanced by the North-west African Company (Limited). I shall pay a yearly interest on the sum advanced, together with the third of my income from the station, until the sum advanced is paid.
4. Both the houses called the "Castle" and "Factory" shall have to be estimated; the North-west African Company shall pay a yearly rent for their use until their value is paid.

Conditions I (Abideen) have to fulfil.

1. I shall be responsible for any harm that may occur on the station at Cape Juby, its roads, or anything that is stolen from any merchant, or whosoever comes to the station; and if any harm comes to the North-west African Company, their property, or any other merchant in or on the way to the station, I shall pay the loss and punish the offenders.

* See my despatch dated December 13, 1880.

† Foreign Office despatch, dated January 4, 1881.

‡ The Sheikh Abideen mentioned therein is a brother to the late Sheikh Mohammed Bairook, the signator to the Treaty we hold.

2. I have to build a house on the station, and therein place a Governor, as well as a force of soldiers to keep the peace in the place.

3. I take upon me to extend the Company's trade to any part of the country where merchants are to be found.

Should the Company not agree to these terms, they will have to leave Cape Juby either by fair means or force.

Declarations made by various persons, proving the connection between the Sultan of Morocco and Dahman and Abideen.

Ahmed-el-Habeeb (Abideen's nephew), and who is one of the principals of Wadnoon, said that Dahman, who is made Governor of the tribe of Ait-el-Jamel by the Sultan of Morocco, and Abideen, his brother, agreed together to ruin the station at Cape Juby, therefore Abideen was sent to demand impossibilities of the North-west African Company.

Ahmed-el-Habeeb said it was his own wish to enter into the Company's service, and undertake upon himself to bring trade to the station, and help to keep the place under the same Treaty as the late Chief had.

Abdallah Woold Ali Baba, a principal of the Azzurqueens, said that the tribes of Ait-el-Jamel are waiting for the Sultan of Morocco's orders, through Dahman, for the destruction of the station at Cape Juby, and that the Sultan's wishes must be obeyed.

Muly-el-Arabi, a Shereef of Wadnoon, who came with Abideen, said that Dahman and Abideen agreed together to destroy the Company's station at Cape Juby by malignity and deceit; should they not succeed, they will use force to gain their purpose.

Barak, the heir of the late Chief, said that he is a youth whose uncles, Dahman and Abideen, are acting against, trying all means to take him and his brothers to Wadnoon; he wishes the Company to use force for the protection of their servants and goods, in which case he will be able to put a stop to his uncles' machinations; if the Company will not use force to help him, he will be obliged to leave Cape Juby according to his uncles' wishes.

Madany, the Secretary of the late Chief, said Abideen told him that if the Company did not agree to his terms he would come with a force to the station, take the factory, and prevent any one of the Company's servants to come on shore to trade. It has further been stated that the Sultan offers Dahman and Abideen a sum of money if they succeed in sending away the Company from Cape Juby.

You will see from the demand made by Abideen, and the declaration following it, that both Abideen and his brother Dahman are in the Sultan's pay, with the view of getting Cape Juby into their own hands now that they see there is little chance of having a port opened north of us.

Having this evidence before us, and the burning of our "wooden house" in 1880, it seems clear that steps must be taken to put an end to this opposition, and make the Sultan pay for the damage and molestation the Company has suffered through the interference of the Sultan. It is possible that the Spanish Government may be encouraging the Sultan in his opposition to our operations. During the stay of Abideen at Cape Juby we showed him every attention and consideration, and he, on his part, appeared willing to do everything that would extend our trade; he was willing that an agent should reside in Wadnoon, but after a few days his real designs began to make their appearance. I told him distinctly that the Treaty with Mohammed Bairook could not be disturbed, that is, I had no power to do so. If he had any propositions to make, I would lay them before the Company, and, of course, he would hear from them. I saw plainly that he did not come to assist but to do mischief, and that he was the agent of the Moorish Sultan and Dahman. We have really suffered so much injury; the burning of the "wooden house" in 1880, which can be traced to the Sultan, caused the Company to build a house on the reef at a great cost; in 1883 he commanded that the tribes should not trade at Cape Juby. I think now he should be made to pay for the loss the Company have suffered, and thus prevent him repeating these annoyances any more. Our claim I consider a good one. The French Government have made a claim on the Sultan on behalf of Count Chavagnac, which is not so clear nor so well founded. The following are the particulars of his claim :—

Count Chavagnac landed some time ago on the Reef coast with the object of trading; after staying for a while on shore, he was summoned by the natives to get

away on the ground that he had shown them no letter from the Sultan. The Count, seeing some armed people coming down to the beach, got frightened and went back to his vessel. The French Minister at Tangier is claiming from the Sultan 1,000 fr. a-day for all the time the Count is prevented from landing on the Reef coast; in my letter of the 1st instant I therein stated that I considered a claim should be made on the Sultan for 5,000l., but considering the amount of mischief he has done, as I think, a much larger sum should be claimed; you need not reply to this part of my letter, as I will give you any information on the subject on my arrival. It is very clear that the Company must take steps to protect themselves against the machinations of the Sultan.

No. 78.

Sir J. Pouncefote to Mr. Surtees.

Sir, *Foreign Office, April 26, 1884.*
IN reply to your letter of the 16th instant, I am directed by Earl Granville to inform you that Her Majesty's Government have communicated to the French Ambassador their hope that the French Government will not press their objections to the inclusion of the Esparto Fibre Company's claim amongst those which are to be dealt with by the Arbitrators, and that pending the receipt of a reply to this request, Lord Granville is not in a position to make any further intimation to the Company.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 79.

Sir J. Pouncefote to Lord De La Warr.

Dear Lord De La Warr, *Foreign Office, April 26, 1884.*
I BEG to thank you for your letter of the 24th instant, forwarding a Memorandum relating to the Benayad case, which I have kept in accordance with your kind permission.

I remain, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 80.

Mr. Surtees to Earl Granville.—(Received April 28.)

*The Franco-English Tunisian Esparto Fibre Supply Company (Limited),
72, Bishopsgate Street Within, April 26, 1884.*
My Lord,
I BEG most respectfully to advise your Lordship this Company received a telegram yesterday afternoon from Tunis, to the effect that the Arbitrators have fixed next Wednesday to hear the Company's case.

It will be apparent to your Lordship that a case of such magnitude cannot be prepared without due notice.

The Company has, considering the very short notice, done all it can, and Mr. Hough, the Managing Director, leaves London for Tunis this evening, but as he will not arrive until Wednesday, the day fixed for the arbitration, there will be no time to prepare evidence or instruct counsel on the subject.

I trust, therefore, that your Lordship will take these difficulties into consideration, and instruct the Arbitrators to extend the time sufficiently long to enable the Company's representative to prepare his case, should he on arrival in Tunis find it necessary to do so.

I beg to apologize for troubling your Lordship again on this matter, and I am, &c.

(Signed) R. W. SURTEES, *Secretary.*

No. 81.

Mr. Reade to Earl Granville.—(Received April 29.)

(No. 16.)
Sir,

Tunis, April 23, 1884.

WITH reference to the telegram No. 13 of the 21st instant, whereby I solicited your Lordship's permission that an extract of a despatch written by my predecessor, Sir Richard Wood, and addressed to your Lordship's Office in 1873, might, if necessary, be communicated to the Arbitrators in the Benayad case, as bearing very materially upon the subject under arbitration, and affording evidence that there are really no grounds for the assumption that the claims which came within the competency of the Finance Commission were not all duly registered in that Department, I have the honour to inclose a copy of the extract to which I refer.

I have, &c.
(Signed) THOS. F. READE.

Inclosure in No. 81.

*Sir R. Wood to Earl Granville.**Tunis, November 18, 1873.*

(Extract.)

IT is necessary, however, I should state, in the first instance, that Sy Hamida Benayad is the creditor of the Tunisian Government in a considerable sum of money which was reduced by the Finance Commission to about 700,000 Tunisian piastres. This settlement of accounts occurred in 1871, but the Finance Commission, under various pretexts, has failed up to the present date to discharge the claim.

A few days ago General Khaireddine sent for Sy Hamida, and told him secretly that it was useless for him to expect the payment of the sum due to him so long as he continued under British protection; that the Executive Commission would always find plausible reasons for postponing its payment, and perhaps for quashing the claim altogether. He strongly advised him, therefore, to address the Bey a letter renouncing his British protection, in which case he pledged his word that he would not only pay him the amount due to him, but that he would employ his influence with His Highness to procure for him honour and distinction, as well as places of emolument under the Government. In the meantime, with a view to convince Sy Hamida that the threat was made in earnest, his Excellency has ordered the sequester on behalf of the Government of a sum of money due to Sy Hamida by the inhabitants of Gerbi, notwithstanding his own large claim upon it.

No. 82.

Sir J. Drummond Hay to Earl Granville.—(Received April 29.)

(Secret.)

(Telegraphic.)

Tangier, April 29, 1884.

M. ORDEGA declared that, unless Cid Abd-el-Gebbar was dismissed from the government of Wazan, he would strike his flag, and hostilities would be commenced.

Hadj M. Torres replied, by letter, that he agreed to the dismissal of Cid Abd-el-Gebbar, subject to the approval of His Shereefian Majesty; declaring at the same time, in his letter, that he took this step in consequence of the threats that had been held out by M. Ordega.

M. Ordega refused to receive this letter.

M. Ordega has left Tangier for Paris.

No. 83.

Sir J. Pouncefote to Mr. Surtees.

Sir,

Foreign Office, April 29, 1884.

IN reply to your letter of the 26th instant, I am directed by Earl Granville to inform you that no answer has yet been received from the French Government with respect to the representation on the subject of your claim, of which you were informed in my letter of the 26th instant.

I am, under these circumstances, to suggest that you should address your application for delay to the Arbitrators themselves, in the event of its having been decided that the case shall be submitted for their judgment.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 84.

Mr. Reade to Earl Granville.—(Received April 30.)

(No. 17.)
My Lord,

Tunis, April 26, 1884.

WITH reference to my telegram No. 14 of the 24th instant, reporting an unfortunate incident which had arisen at one of the sittings of the Arbitral Commission, and led to the retirement of General Benayad's counsel, and expressing a belief that the matter would be satisfactorily explained, so far as the General is concerned, I have the honour to transmit to your Lordship the accompanying copy of an explanatory letter which the said counsel have felt it their duty to address to the Arbitrators in connection with that incident.

It will appear from the explanation now given that nothing has occurred to affect the honour of General Benayad, who, notwithstanding all the difficulties he has had to contend against, maintains unimpaired the high reputation which, in the estimation of myself and those of my predecessors, who have exercised jurisdiction over him, he has ever enjoyed.

I have, &c.
(Signed) THOS. F. READE.

Inclosure in No. 84.

Messrs. Pelletier and Bensasson, Counsel of General Benayad, to Arbitral Commission.

Messieurs,

Tunis, le 26 Avril, 1884.

LES Soussignés croient qu'il est de leur devoir envers le Général Benayad de préciser le sens et la portée des remarques qu'ils ont présentées à la Commission Arbitrale dans la séance d'hier et en motivant leur démission.

Cette détermination a été prise pour des motifs purement personnels.

Chargés de représenter le Général Benayad ils avaient le droit d'exiger, dans l'intérêt de la cause, ainsi que dans celui de leur dignité, la plus rigoureuse exactitude dans les éléments de fait qui leur étaient fournis.

L'affaire Nathan Levy se fondait sur certaines données; ces données leur paraissaient, et sont en effet, précises et concordantes. Elles furent confirmées par les productions du Gouvernement au cours du débat. La production des registres de Nathan Levy a révélé l'existence de certaines circonstances, qui, sans affecter notablement le fonds, pouvaient donner à entendre qu'il y avait eu, entre Nathan et Benayad, une entente, une collusion.

En effet, tandis que d'après notre dossier Nathan écrivait en Novembre 1870 au Gouvernement Tunisien qu'il était encore dû à Benayad la somme de 568,000 piastres, et qu'il allait liquider le gage, ses registres établissaient, au contraire, que depuis le 5 Octobre le gage était liquidé; qu'il l'avait été à différentes époques et que Nathan, par conséquent, n'était pas créancier de toute la somme portée dans sa lettre du 28 Novembre.

Le relevé des registres fut fait à l'audience, le Général Benayad n'y était point préparé, il ne sut point donner au Tribunal, ni nous donner à nous-mêmes, des explications satisfaisantes, et nous avons dû nous retirer.

Nous sommes heureux aujourd'hui de pouvoir dire qu'il est en état d'en fournir, et nous espérons que ses explications édifieront pleinement le Tribunal.

Les motifs purement personnels pour lesquels nous nous sommes retirés ne se rattachent nullement à nos appréciations sur le fonds de l'affaire.

Sur le chapitre Nathan Levy, ainsi que sur tous les autres chapitres de la réclamation Benayad, nous croyons pouvoir affirmer que ses droits sont démontrés en grande partie; que les documents qu'il a produits sont parfaitement concluants, et nous confirmons, en tout point, et avec l'autorité que peut nous donner notre situation indé-

pendante en ce moment, les conclusions que nous avons eu l'honneur de soumettre au Tribunal Arbitral.

Cela suffira, nous l'espérons, pour dissiper les bruits fâcheux que l'on fait courir au sujet de ce regrettable incident.

C'est à la nouvelle défense du Général Benayad qu'il appartient, désormais, de produire les éléments de fait qui feront la lumière sur l'affaire Nathan Levy, et dont nous avons été heureux de prendre connaissance.

Agréer, &c.
(Signé) H. PELLETIER.
BENSASSON.

No. 85.

Mr. Reade to Earl Granville.—(Received April 30.)

(No. 18.)

My Lord,

Tunis, April 26, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 15 of the 15th instant, informing me of the understanding come to between Her Majesty's Government and the Government of Greece respecting the mode in which the Benayad and Gringa dispute should be dealt with.

On receipt of the above despatch, and with a view to concert means for the carrying into effect of the wishes or decision of the two Governments, I wrote to my Greek colleague a letter, of which Inclosure 1 is a copy. Three days afterwards I received a reply (Inclosure 2) to the effect that he had failed to induce M. Gringa to assent to what he regarded as my own proposition—that the whole case should be referred to arbitration. The query, however, I had put as to whether he had received instructions from his Government in the sense indicated by your Lordship, was left unanswered. I therefore addressed him a further letter this morning, reverting to the subject of my former communication, and requesting the favour of a categorical reply. A copy of this letter is also hereto annexed.

Being far from persuaded that the second reply will be more satisfactory than the first one, I have felt it my duty to submit the inclosed correspondence to your Lordship's consideration.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 1 in No. 85.

Mr. Reade to M. Vassiliades.

M. et cher Collègue,

Tunis, le 22 Avril, 1884.

LE Secrétaire d'État de Sa Majesté Britannique pour les Affaires Étrangères vient de m'informer qu'une entente a été établie entre nos deux Gouvernements au sujet du terrain à côté de la Régie des Tabacs réclamé par mon administré le Général Benayad et qui a été récemment occupé par M. Gringa, sujet Hellène. D'après cette entente, la question de propriété serait réservée à la juridiction compétente. En attendant, la question de savoir qui doit occuper le terrain serait déferée sans délai à un arbitrage. D'après mes informations, des instructions dans ce sens doivent vous avoir été données par le Gouvernement Hellénique, et je vous serai fort obligé de me faire savoir si ces instructions vous sont parvenues.

Agréer, &c.
(Signé) THOS. F. READE.

Inclosure 2 in No. 85.

M. Vassiliades to Mr. Reade.

M. le Consul-Général,

Tunis, le 13 (25) Avril, 1884.

J'AI l'honneur de vous accuser réception de la lettre que vous avez bien voulu m'adresser en date du 22 de ce mois, par laquelle vous me faites connaître que M. le Secrétaire d'État de Sa Majesté Britannique pour les Affaires Étrangères vient de vous informer

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Q

qu'une entente aurait été établie entre nos deux Gouvernements au sujet du terrain sis à côté de la Régie des Tabacs, réclamé par votre administré le Général Hamida Benayad et occupé actuellement par le Sieur Jean Gringa, sujet Hellène; que d'après cette entente la question de propriété serait réservée à la juridiction compétente, et en dernier lieu vous m'exprimez le désir de savoir si j'avais reçu de mon Gouvernement des instructions analogues, en me proposant en même temps de soumettre l'affaire dont il s'agit à un arbitrage pour savoir qui doit occuper le terrain en question.

En répondant à votre susdite communication j'ai l'honneur de vous informer, M. l'Agent et Consul-Général, que le Gouvernement de Sa Majesté, auquel j'avais soumis, par devoir, toute la correspondance échangée entre nous au sujet de l'affaire précitée, s'étant entendu, à ce qu'il paraît avec votre Gouvernement, a approuvé ma pensée, sur l'affaire en question, exprimée dans ma communication que j'ai eu l'honneur de vous adresser le 2 (14) Décembre dernier, c'est-à-dire que si le Général Benayad avait des réclamations à faire contre le Sieur Gringa, il pourrait librement les faire valoir devant les Tribunaux compétents et suivant les usages en vigueur dans le pays, d'autant plus qu'à l'heure actuelle la compétence judiciaire de ce Consulat Royal est abolie par une loi. Cependant pour vous complaire, vu la bonne harmonie qui a toujours régné entre les deux Consuls, j'ai proposé au Sieur Gringa, conformément à vos désirs, de soumettre l'affaire du terrain à un arbitrage pour statuer sur cette question, mais malheureusement le Sieur Gringa a refusé formellement d'accepter ma proposition, car, comme vous le savez, il ne dépend plus de moi de l'obliger d'accepter, et comme il vient de m'adresser une demande par laquelle il me fait savoir catégoriquement son intention sur l'affaire susénoncée, j'ai l'honneur de vous transmettre ci-joint copie de cette demande pour que vous en preniez connaissance.

Agrérez, &c.
(Signé) E. VASSILIADIS.

Inclosure 3 in No. 85.

M. J. Gringa to M. Vassiliades.

M. le Consul, Tunis, le 10 (22) Avril, 1884.
J'AI pris connaissance de la communication que M. l'Agent et Consul-Général de Sa Majesté Britannique à Tunis vient de vous adresser au sujet du terrain occupé par moi en vertu de titres officiels, et réclamé à tort par le Général Hamida Benayad, qui demande le renvoi de cette affaire à un arbitrage.

Attendu qu'il n'existe aucun différend entre moi et le Général Benayad, il n'est pas possible que je puisse adhérer à sa réclamation; ce monsieur s'il a des prétentions contre moi relativement à ce terrain, il peut les faire valoir devant les Tribunaux compétents établis à Tunis.

Je vous prie, M. le Consul, de vouloir bien transmettre par la voie compétente copie de la présente au Général Hamida Benayad aux fins que de droit.

Je suis, &c.
(Pour Jean Gringa),
(Signé) GEORGES GRINGA.

Pour copie conforme:
Le Chancelier du Consulat de Grèce,
(L.S.) (Signé) G. C. MANIDAKI.
Tunis, le 12 (24) Avril, 1884.

Inclosure 4 in No. 85.

Mr. Reade to M. Vassiliades.

M. le Consul, Tunis, le 26 Avril, 1884.
J'AI l'honneur de vous accuser réception de votre lettre d'hier en réponse à ma communication du 22 courant, au sujet de la question qui s'est soulevée entre Si Hamida Benayad, sujet Anglais, et M. J. Gringa, sujet Grec, à propos d'un terrain sis à la Marine, dans cette ville, et duquel les deux parties prétendent être propriétaires.

Je vous remercie des idées et de l'information que vous avez été assez bon pour me fournir à ce sujet, mais je regrette que la question qui formait le principal, je pourrais dire, le seul, objet de ma lettre, est restée sans réponse. Je reviens par conséquent au

contenu de ma susdite lettre, et, afin que nous puissions combiner sur le meilleur moyen pour mener à bonne fin les désirs de nos Gouvernements respectifs, j'ose espérer que vous daignerez me rendre une réponse catégorique à ce sujet.

Ce que je désirerais savoir est si, ou non, il est vrai, comme me l'assure le Secrétaire d'Etat de Sa Majesté Britannique, que vous avez reçu des instructions pour soumettre à l'arbitrage la question—qui doit occuper le dit terrain, en attendant une décision judiciaire sur la question de titre?

Agrérez, &c.
(Signé) THOS. F. READE.

No. 86.

Sir J. Drummond Hay to Earl Granville.—(Received May 2.)

(Telegraphic.)

Tangier, May 1, 1884.

FRENCH Minister threatened to strike flag and hostilities if Governor of Wazan was not dismissed. Moorish Minister accepted this demand subject to approval of Sultan, but stated in a letter that he yielded to menace. French Minister rejected this letter, and has left for Paris.

No. 87.

Sir J. Drummond Hay to Earl Granville.—(Received May 3.)

(No. 33.)

Tangier, April 25, 1884.

My Lord,

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 14 of the 11th instant, transmitting copy of a despatch from Her Majesty's Minister at Madrid, relative to the intrigues of Señor Alba Salcedo with the Shereef of Wazan.

I find that in Mr. White's despatch No. 66 of the 18th September, 1879, and in my despatch No. 77 of the 28th October of the same year, a similar account of the conspiracy was given to Her Majesty's Government.

The French Government, when they took the Shereef of Wazan under their protection, were no doubt cognizant of what had taken place, and were prepared, therefore, to find in the Shereef a ready tool for working out the conspiracy which M. Ordega has set afoot to bring about the downfall of the Sultan and a French Protectorate.

A Moorish hunter, who is on intimate terms with the Shereef, and also a friend of mine, told me the following story, which confirms the apprehensions entertained by the Sultan:—

"I was out hunting with the Shereef. During a halt for breakfast, the Shereef invited me to partake of his repast. Sniffing, with his face turned southwards, he inquired, 'Do you not perceive a very bad odour?'"

"Not understanding the drift of the query, I replied that I did not. The Shereef then observed, 'the smell is most nauseous, and is getting worse; it comes from the Court and the Vizier. I have hitherto been mesquin,* and have put up with ill-treatment; I am not, and shall not be so any longer. Do you suppose that, were Abdal Gebbar† to march from Wazan to Soos in the name of the Sultan, he would find any Mussulman ready to follow him?' I replied, 'No.'

"The Shereef continued: 'When I proclaim that I shall proceed from Tangier to Morocco and Tafilelt, and call upon the tribes to join me, shall I have followers?' I replied, 'Yes, many.'

"The Shereef then said, 'The time is coming, and a French army will march simultaneously on Fez, and the Mussulmans will be delivered from the rule of a bad Government.'"

This language of the Shereef tends to show that, even if the French Government deny all complicity in a conspiracy, M. Ordega must have, directly or indirectly, encouraged the Shereef to rebel against the Sultan's authority, and to support France in her ambitious schemes.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

* Quiet and inoffensive.

† The Sultan's Governor of Wazan, and a relative of the Shereef.

Mr. Surtees to Earl Granville.—(Received May 3.)

*The Franco-English Tunisian Esparto Fibre Supply Company (Limited),
72, Bishopsgate Street Within, May 1, 1884.*

My Lord,
I DULY received your Lordship's letter dated the 29th ultimo, and communicated the contents thereof to the Company's Managing Director, Mr. Hough, who arrived at Tunis on the 30th ultimo.

By a telegram received from Tunis this morning, we are informed that the Arbitration Commission commenced its sittings yesterday.

I beg, &c.
(Signed) R. W. SURTEES, *Secretary.*

Mr. J. A. Campbell, M.P., to Lord E. Fitzmaurice.—(Received May 3.)

My Lord,
34, Grosvenor Place, May 2, 1884.

I NOW beg leave to inclose to your Lordship the statement, which I mentioned yesterday, of a difficulty between the English congregation at Tunis and the Representative of the French Government in that country.

My correspondent is the Reverend Henry C. Reichardt, a missionary of the London Society for the Jews. He acts as English chaplain at Tunis. I know him to be a most respectable man.

Mr. Reichardt's statement explains the whole case. I venture to request the favour of your Lordship's consideration of the case as so stated.

I have, &c.
(Signed) JAS. ALEX. CAMPBELL.

Inclosure in No. 89.

Statement by the Rev. Henry C. Reichardt, of Tunis.

A FEW months before the French came into the Regency—that is, about the end of 1880—a piece of ground adjoining the English Protestant church was presented to the trustees by the then President of the Municipality, for the purpose of building thereon a parsonage. Unfortunately, he delayed to give the title-deeds, and on the arrival of the French, four months later, he was compelled to leave the country, without having given any title of possession to the trustees of the church.

2. On the ground being presented, the members of the Protestant community at once fenced it in and put up a door. The ground was used for lawn-tennis, &c. In these countries the fact of being allowed to put a fence or wall round a property without your right to do so being disputed by any one is held to constitute a strong proof of ownership.

This fence and door (with padlock) remained in existence for more than a year, when, for various reasons, it was allowed to fall into decay. During this time no question as to the right of ownership by the church was ever raised. There are many influential residents in Tunis who can prove that the church was in actual possession of this property.

3. On the arrival of the French in Tunis a large amount of land was privately sold by the Government to certain Frenchmen and others; among other pieces, this of the church, when, of course, title-deeds were given.

4. The only ground on which the church can dispute these deeds is by proving that the sale was illegal. By the law of the land, when any leasehold property belonging to the Government, or "Enzet" (as it is called), is sold, notice is obliged to be given to any one who has land adjoining that which is to be sold, and who has, if he wishes, the right of pre-emption. Neither was this notice given to the trustees of the church, nor was the sale effected in a public manner, as it ought to have been.

5. Since the spring of 1882, when the claim on the ground was first put forward, there have been perpetual disputes till last summer. Then M. Cambon, the French Minister, and Mr. Reade entered, on the 8th June, 1883, into a formal compact that

neither party should interfere with the ground in any way until the question of ownership had been settled by law or by arbitration, or by some friendly means.

6. Now, April 1884, the other party, a Frenchman, has begun to take definite steps towards building over the greater portion of the land in dispute. Should he be allowed, undisputed, to erect buildings, it would be very difficult, by Mussulman law, to eject him later.

7. In this step he is supported by M. d'Estournelles, the Acting French Minister, who, on being written to by Mr. Reade, first denied the existence of any compact with M. Cambon; when forced to admit its existence, denied that it applied to the whole of the land in question, but only to a part; finally, forced to admit that he was also incorrect on this point, he has declared that he is unable to interfere with one of his own subjects when acting illegally.

8. The motive of this is to compel the trustees to appear as plaintiffs before the local Courts, a measure which would inevitably cause them to lose their case, as they hold that they are the original possessors, and must therefore appear as defendants, which position gives them great advantages in a Mussulman Court of Law.

9. Shortly, the position is this:—

The trustees rely on the fact that they were in undisputed possession for more than a year, of which they have many witnesses.

The other side have title-deeds; but these, it is contested, are useless and invalid, the sale of the land having been effected in an illegal manner.

M. Waddington to Earl Granville.—(Received May 3.)

My dear Granville,
French Embassy, May 3, 1884.
THE telegram about Morocco you showed me yesterday appears to be a pure fabrication. M. Ordega is coming home on leave, as I told you, and we are on the best terms with Morocco.

Ever yours, &c.
(Signed) WADDINGTON.

Earl Granville to Mr. Nicolson.

(No. 2.)
(Telegraphic.)

Foreign Office, May 3, 1884, 5.30 P.M.

YOUR telegram of 15th April: Benayad case.
Greek Consul at Tunis makes difficulties about carrying out arrangement proposed in my telegram No. 1 of 12th April.
Inform Greek Government.

Earl Granville to Mr. Nicolson.

(No. 51. Ext. 2.)
Sir,

Foreign Office, May 3, 1884.

I REQUESTED you to-day by telegraph to inform the Greek Government that their Consul at Tunis is making difficulties about carrying out the arrangement proposed by Her Majesty's Government, and agreed to by the Government of His Hellenic Majesty, for the temporary settlement of the Gringa-Benayad dispute.

I am, &c.
(Signed) GRANVILLE.

No. 93.

Earl Granville to Sir J. Drummond Hay.(Secret.)
(Telegraphic.)*Foreign Office, May 3, 1884, 5.50 P.M.*

YOUR telegram of 1st May.

French Ambassador says M. Ordega is only coming home on leave, and that French Government are on the best terms with Morocco.

No. 94.

Earl Granville to Sir J. Drummond Hay.

(No. 17. Secret. Ext.)

Sir,

Foreign Office, May 3, 1884.

WITH reference to your telegram of the 1st instant, I informed you to-day, by telegraph, that the French Ambassador assures me that his Government are on the best terms with Morocco, and that M. Ordega is only coming home on leave.

I am, &c.

(Signed) GRANVILLE.

No. 95.

Earl Granville to Viscount Lyons.

(No. 393.)

My Lord,

Foreign Office, May 3, 1884.

I READ to the French Ambassador this afternoon the telegram, which I had just received from Her Majesty's Minister at Tangier, announcing that the French Minister had broken off relations with the Moorish Government.

M. Waddington said that he knew nothing of the matter, but that he had spoken to M. Ferry on the subject of Morocco, and was authorized to assure me, in the most positive manner, that the policy of France with regard to Morocco was absolutely unchanged, and that there could be no question of anything beyond a slight rectification of the frontier between that country and Algeria in the interior.

He said that M. Ordega was coming back to Paris to see M. Ferry.

I am, &c.

(Signed) GRANVILLE.

No. 96.

Earl Granville to Consul-General Playfair.

(No. 3.)

Sir,

Foreign Office, May 3, 1884.

I HAVE received your despatch No. 3 of the 21st ultimo, on the subject of the rumoured concentration of troops on the frontier of Morocco.

With reference to the concluding paragraph of your despatch, in which you suggest the advisability, if events should occur to excite suspicion, of your visiting personally the western frontier, I have to inform you that I sanction your proposal provided that existing circumstances should appear to you to render such a journey advisable.

I am, &c.

(Signed) GRANVILLE.

No. 97.

Sir J. Drummond Hay to Earl Granville.—(Received May 5, 8 A.M.)

(Telegraphic.)

Tangier, May 4, 1884, 2 P.M.

FRENCH Chargé d'Affaires has returned to Moorish Minister for Foreign Affairs all communications. No formal notice of rupture of relations, but French flag has been

hauled down to-day (Sunday) in pursuance, it is said, of telegraphic instructions from Paris.

Fighting reported at Wazan.

P.S.—French Chargé d'Affaires has stated to colleague that, although flag remains down while all the others are flying, relations are not broken off.

No. 98.

Mr. Reade to Earl Granville.—(Received May 6.)

(No. 19.)

My Lord,

Tunis, April 30, 1884.

WITH reference to my despatch No. 18 of the 26th instant, and the correspondence therein referred to as having passed between the Greek Consul at this place and myself, respecting the understanding to which the two Governments had come with regard to the Benayad-Gringa difficulty, I have the honour to submit a copy of a further letter from my Greek colleague on the same subject and of my rejoinder.

From the Greek Consul's communication it appears that instructions in the sense given in your Lordship's despatch No. 15 of the 15th instant, have at length reached him, but that, owing to M. Gringa's absence from Tunis, he is prevented from carrying them into effect for the present.

Since receipt of that communication, the Consul has himself called to assure me that he will do all in his power to induce M. Gringa to acquiesce in the wishes of his Government. He adds, however, that as that person is now amenable to a new jurisdiction, it will be impossible to compel him to accede to the proposed arbitration, against his will. In reply, I suggested that as the present case arose anteriorly to the change of jurisdiction to which he refers, and, so far as regards the ejectment of the Consular guards and the offence thereby involved to Her Majesty's Agency and Consulate General, is susceptible of administrative or diplomatic action, an appeal to the French Tribunals would, it appeared to me, be inopportune and irregular.

The Consul, before leaving, repeated his promise to urge on his "administré" the necessity of complying with the wishes of his Government, but if, as he tells me, the instruction he has received is not of a determinate or compulsive character, the chance of attaining a successful result is, in my opinion, infinitesimal.

I have, &c.

(Signed) THOS. F. READE.

Inclosure 1 in No. 98.

M. Vassiliades to Mr. Reade.

M. l'Agent et Consul-Général,

Tunis, le 16 (28) Avril, 1884.

EN réponse à votre communication du 26 de ce mois, j'ai l'honneur de vous informer que je viens de recevoir juste en ce moment des instructions de mon Gouvernement pour engager le Sieur Jean Gringa d'accepter l'arbitrage que vous venez de proposer par votre communication au sujet de l'affaire du terrain existant entre Si Hamida Benayad, sujet Britannique, et le dit Sieur Jean Gringa, sujet Hellène.

Et attendu que le susdit J. Gringa, pour cause de maladie, se trouve actuellement à Hamam Corbous, lequel y restera, d'après les informations obtenues, une vingtaine de jours encore, et attendu que son frère George ne pourrait pas adhérer à votre proposition avant qu'il n'y eût une entente avec son frère précité, il est juste par conséquent d'attendre ces quelques jours, en attendant que le Sieur Jean Gringa fût de retour pour que je puisse agir conformément à votre désir et à celui de mon Gouvernement. Cependant, il serait à souhaiter que cette question fût décidée à l'amiable, d'autant plus que les parties contestantes auraient évité des débats judiciaires qui pourraient avoir lieu dans la suite. Quant à moi, je n'ai pas manqué de conseiller maintes fois le Sieur Jean Gringa d'accepter l'arbitrage que vous m'avez proposé, mais malheureusement je n'ai pas pu le persuader, car il persiste toujours dans son refus, ainsi que j'ai eu l'honneur de vous le faire connaître par ma précédente communication.

Agréé, &c.

(Signé) E. VASSILIADES.

Inclosure 2 in No. 98.

*Mr. Reade to M. Vassiliades.**Tunis, le 29 Avril, 1884.*

M. le Consul,

J'AI l'honneur de vous accuser réception de votre lettre d'hier par laquelle vous m'informez, au sujet de la question entre le Général Benayad et M. Gringa, que vous avez bien reçu les instructions dont vous entretenait ma lettre du 26 courant; mais que, par suite de l'absence de M. Gringa à Corbous, où il doit rester encore une vingtaine de jours, vous ne pouvez pas vous y conformer pour le moment.

Je ne puis vous cacher la déception que me cause cette nouvelle, car le Gouvernement de Sa Majesté Britannique est désireux de profiter du séjour à Tunis de Sir Adrian Dingli, C.B., G.C.M.G., Premier Juge à Malte, pour s'en servir comme Arbitre, et Sir Adrian doit partir dans huit à dix jours.

Après réception de votre lettre, j'ai eu l'avantage d'être verbalement informé de vous que le mode d'arrangement convenu entre les deux Gouvernements ne peut pas être mis en exécution, sans l'adhérence volontier de M. Gringa lui-même; mais que, comme vous êtes désireux de donner suite aux instructions qui vous sont parvenues, vous ferez tout le possible à l'induire de se conformer aux désirs du Gouvernement Hellénique.

Quant à votre idée d'essayer d'arriver à un arrangement amiable, je serais tout à fait de votre avis, mais je ne vois pas comment on pourra arriver à une solution si désirable, à moins que M. Gringa ne soit prêt à reconnaître le titre du Général Benayad, ou bien à laisser la question à l'appréciation des tiers.

Vous me permettrez également de remarquer que les procédés de M. Gringa jusqu'à ce jour ne m'encouragent pas beaucoup à espérer l'accomplissement de vos vœux à ce sujet.

Agrérez, &c.
(Signé) THOS F. READE.

No. 99.

Mr. Nicolson to Earl Granville.—(Received May 6, 8 A.M.)

(Telegraphic.)

Athens, May 5, 1884, 11 P.M.

YOUR Lordship's telegram No. 2.

Greek Minister for Foreign Affairs will reiterate by telegraph his former instructions to Greek Consul. He has no information beyond that reported in my despatch No. 46.

No. 100.

Mr. Reade to Earl Granville.—(Received May 6, 9.30 A.M.)

No. 15.)

(Telegraphic.)

Tunis, May 5, 1884, 9 P.M.

BENAYAD claimant. Arbitration award in favour of Tunisian Government. General Benayad debtor in a certain sum.

Particulars by post.

No. 101.

Mr. Reade to Earl Granville.—(Received May 6, 9.30 A.M.)

(No. 16.)

(Telegraphic.)

Tunis, May 5, 1884, 9 P.M.

CLAIM of Esparto Company for damages against Tunisian Government rejected by Arbitral Commission.

No. 102.

*Earl Granville to Sir J. Drummond Hay.**

(No. 18.)

Foreign Office, May 6, 1884.

Sir,

I TRANSMIT to you herewith, for your information, copy of a despatch from Her Majesty's Consul-General at Algiers, relative to a rumoured concentration of troops on the Morocco frontier.†

I am, &c.
(Signed) GRANVILLE.

No. 103.

Earl Granville to Sir A. Paget.‡

(No. 65.)

Foreign Office, May 6, 1884.

Sir,

I TRANSMIT herewith, for your Excellency's information, copy of a despatch, as marked in the margin,§ on the subject of France and Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 104.

Sir J. Drummond Hay to Earl Granville.—(Received May 7.)

(No. 39. Confidential.)

Tangier, April 28, 1884.

My Lord,

WITH reference to my despatch No. 34, Confidential, of the 11th instant, I have the honour to inform your Lordship that the reply of the Sultan to the demand put forward by M. Ordega for the dismissal of Cid Abd-el-Gebbar from the Government of Wazan was received a few days ago.

Hadj Mohammed Torres and Kaid Bushta called upon M. Ordega to communicate a Memorandum they had received from the Moorish Court, in which the replies of his Shereefian Majesty to the various matters in dispute are contained.

On their producing the document M. Ordega informed them, in harsh and menacing language, that he refused to receive any communication on this subject unless it was prefaced by the acceptance of his demand for the dismissal of Abd-el-Gebbar.

The Moorish Commissioners remonstrated, and informed M. Ordega that if he would allow them to read the Memorandum he would learn that the Sultan was prepared to remove Abd-el-Gebbar from Wazan on certain conditions, and that there were other matters in the Memorandum upon which His Shereefian Majesty had given full and friendly explanations.

M. Ordega replied that he would not admit of discussion upon any question which would affect the Shereef or his sons, who, he stated, were also under French protection.

M. Ordega told them that, if his demand was not acceded to, he would give the Shereef leave to raise his "green standard" and to march upon Meknez, and that a French force would be ready to act in his support. M. Ordega told the Commissioners to return in two days with their reply, and stated that he was about to leave Tangier for Europe on the 29th instant.||

This morning the Commissioners paid another visit to M. Ordega; the Shereef of Wazan, Hadj Abdesselam, was present. They endeavoured to induce M. Ordega to allow them to communicate the contents of the Sultan's Memorandum, but he would not listen to their representations, and indulged in threatening language, repeating the menaces about the Shereef raising the green standard, and declaring that he would strike

* Also to Mr. de Bunsen (No. 54).

† No. 76.

‡ Also to Lord Amphil (No. 117), Sir S. Lumley (No. 101), Sir J. Drummond Hay (No. 19), and Mr. de Bunsen (No. 55).

§ No. 95.

|| M. Ordega is, I understand, going to Paris.—J. H. D. H.

his flag, that a squadron would be dispatched to the Morocco waters, and that Oochda would be taken possession of by a French force, if his demands were not acceded to.

Hadj Mohammed Torres, fearing the consequences of a rupture of relations, then promised to give to M. Ordega this evening a written engagement that Cid Abd-el-Gebbar would be removed from Wazan, subject to the Sultan's approval.

I am confidentially informed that Hadj Mohammed Torres and Kaid Bushta are about to address a letter to M. Ordega containing this concession, but that they will declare that it is made in consequence of the threats that had been resorted to (which will be recapitulated), and from their desire to prevent the disastrous consequences of a rupture of relations.

I shall not be able to learn, before this despatch is sent off, whether M. Ordega will accept, or refuse to receive, the letter in question, containing the acceptance of his demand couched in language which may be regarded as a protest.

It is the intention of Hadj Mohammed Torres, I understand, to communicate a copy of his letter to M. Ordega to each of the four Representatives to whom he had addressed letters on the 11th instant, containing a Memorandum on the various questions in dispute with M. Ordega.*

As soon as I receive a copy of this letter I shall transmit a translation to your Lordship, and also to the Government at Vienna.

I conclude that M. Ordega has been summoned to Paris by the French Government.

Both the Spanish and Italian Ministers have expressed to Hadj Mohammed Torres, in very decided language, their dissent from, and disapproval of, the proceedings of M. Ordega.

I think it is not improbable, from what I have heard, that Cid Mohammed Bargash, who had gone to Marseilles to consult an oculist, has been, or will be, ordered by the Sultan to proceed to Paris.

I learn that in the Sultan's Memorandum it is stated that Abd-el-Gebbar had never been appointed Governor of Wazan, as that post is held by the Governor of the Larache Province, but that Abd-el-Gebbar, being a Shereef, is the magistrate appointed to settle disputes between the Shereefs of Wazan, who are the chief inhabitants, and that His Shereefian Majesty, in the present emergency, was disposed to order the Governor of Larache to proceed to Wazan to conduct the government there, and that this step was to be taken in a spirit of conciliation to satisfy M. Ordega's demand.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

P.S. April 29.—I have just learned that M. Ordega has returned the letter addressed to him by Hadj Mohammed Torres, and sent some officers of the Legation last night to Hadj Mohammed who indulged in very offensive and menacing language.

J. H. D. H.

No. 105.

Mr. Nicolson to Earl Granville.—(Received May 7.)

(No. 46.)

My Lord,

WITH reference to my despatch No. 43 of the 16th instant, I have the honour to inform your Lordship that the Minister for Foreign Affairs has shown me a telegram he has received from the Greek Consul at Tunis to the effect that M. Gringa is absent in the interior, and will not return to Tunis for three weeks. On M. Gringa's return, the Greek Consul states that he will lose no time in carrying out the instructions of his Government in the matter of the disputed property of General Benayad.

I have, &c.

(Signed) A. NICOLSON.

* No. 62.—J. H. D. H.

No. 106.

Viscount Lyons to Earl Granville.—(Received May 7.)

(No. 266.)

My Lord,

Paris, May 6, 1884.

I HAVE the honour to inclose an article from the "Temps" newspaper of this evening, denying the truth of intelligence which it states to have been communicated to the English journals by the Reuter Agency, to the effect that the relations between France and Morocco have been interrupted, and that the French flag has been for that reason struck at Tangier.

The "Temps" is not an official newspaper, but articles of this kind inserted in it often come from an authentic source.

I have, &c.

(Signed) LYONS.

Inclosure in No. 106.

Extract from the "Temps" of May 7, 1884.

L'AGENCE Reuter a communiqué aux journaux Anglais la dépêche suivante:—

"Tanger, le 4 Mai, 1884.

"Les relations entre la France et le Maroc, qui dernièrement étaient très tendues à la suite du refus du Sultan de destituer, à la demande de la France, le Gouverneur de Mazan, viennent d'être interrompues.

"Le drapeau Français, qui avait été hissé ce matin de bonne heure sur l'hôtel de la Légation, a été descendu à 10 heures."

Nous sommes en mesure de démentir ces assertions. Nos relations avec le Maroc sont satisfaisantes de tout point. M. Ordega, notre Représentant près la Cour Chérifienne, a su créer à la France une situation excellente dans le pays dans lequel il est accrédité, et toutes ses réclamations ont été accueillies.

Nos rapports avec le Gouvernement Marocain sont si bons que notre Ministre a pu prendre un congé. Nous avons annoncé hier son arrivée à Paris, et si le drapeau Français a été amené de sa résidence, c'est précisément à cause de l'absence du Ministre.

No. 107.

Earl Granville to Viscount Lyons.*

(No. 398.)

My Lord,

Foreign Office, May 7, 1884.

I TRANSMIT to your Excellency herewith, for your information, copy of a despatch from Her Majesty's Minister at Tangier, relative to France and Morocco.†

I am, &c.

(Signed) GRANVILLE.

No. 108.

Sir J. Drummond Hay to Earl Granville.—(Received May 8.)

(No. 40.)

My Lord,

Tangier, April 29, 1884.

I AM informed that in the Memorandum which the Sultan had directed his Commissioners to communicate to M. Ordega,‡ but which the latter had refused to admit, His Shereefian Majesty complained that Allal weld Sheikh Ben Tayeb, one of the relatives of the Chiefs of Oolad Sidi Sheikh, who had committed raids on the Algerian territory, had escaped to Tangier, and had placed himself under the protection of the Shereef of Wazan and of the French Minister.

* Also to Lord Ampthill (No. 119), Sir S. Lumley (No. 103), Sir A. Paget (No. 66), and Mr. de Bunsen (No. 58).

† No. 87.

‡ See No. 104.

His Shereefian Majesty declares that if this person should appear on the frontier and give rise to troubles and questions, the responsibility will rest upon those who now afford him protection, and not upon His Shereefian Majesty.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 109.

Sir J. Drummond Hay to Earl Granville.—(Received May 8.)

(No. 43.)
My Lord,

Tangier, May 1, 1884.

I HAVE the honour to transmit the translation of a letter addressed to me by the Acting Minister, Hadj Mohamed Torres, thanking me, in the name of the Sultan, for having transmitted to Her Majesty's Government the communication which had been made to me regarding the proceedings of the French Minister.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 109.

Hadj Mohamed Torres to Sir J. Drummond Hay.

(Translation.)

Praise be to God!

(After compliments.)

3 Rajeb, 1301 (April 29, 1884).

WE inform you that we have made known to His Shereefian Majesty your reply to the Memorandum which we transmitted to you for communication to your friendly Government, with the object of seeking a remedy which may result in the independence of His Shereefian Majesty.

His Majesty has replied, expressing his thanks to the friendly Governments of Great Britain and Austria-Hungary for the interest and good-will they have shown in this matter.

We beg that you will make it known to your illustrious Government in the name of His Shereefian Majesty.

Friendship and peace.

(Signed) MOHAMED BEN-EL-ARBY TORRES.

No. 110.

Viscount Lyons to Earl Granville.—(Received May 8.)

(No. 268.)

My Lord,

Paris, May 7, 1884.

I SPOKE this afternoon to M. Jules Ferry of the reports which have prevailed of serious differences between France and Morocco.

M. Jules Ferry assured me that there was not any foundation for these reports. M. Ordega, the French Minister at Tangier, had, he said, come to Paris for a fortnight. As his absence was to be for so short a time, he had treated it as a mere promenade, and left the business in the hands of the ordinary officials of the Legation, without formally establishing a Chargé d'Affaires. The Minister being thus absent, the flag had not been hoisted at the Legation, but this simply indicated the personal absence of the Minister, and had no political or diplomatic significance. The relations between France and Morocco were, M. Jules Ferry declared, perfectly regular and friendly, and there were, he said, no questions between the two Governments which were of a serious character, or which did not admit of an easy solution.

M. Jules Ferry added that there was absolutely no foundation for attributing to France, as was sometimes done, designs of annexing Morocco, of establishing a Protectorate, or of promoting troubles in the country.

I have, &c.
(Signed) LYONS.

No. 111.

Memorandum by Sir G. Dallas respecting France and Morocco.

IN view of the attitude and action of the French Minister in Morocco, it may not be out of place to recall the various assurances which recent French Governments have given upon the subject of their policy in that country.

Lord Granville, in recording for Sir R. Morier's information the substance of a conversation with the Spanish Minister on the 7th December, 1881, wrote:—

"I told the Marquis de Casa Laiglesia that Lord Lyons had had two interviews on this subject with M. Barthélemy St. Hilaire, while he was French Minister for Foreign Affairs, and that the latter had most positively affirmed that there was no intention of an expedition across the Moorish frontier, and that the French Government were opposed to any such proceeding."

On the 14th of the same month, Lord Lyons thus reports a conversation with M. Gambetta:—

"I proceeded to say that M. Barthélemy St. Hilaire had given me, on the part of the late Government, distinct assurances that they intended to respect the territory of Morocco."

"M. Gambetta replied at once that he gave me the same assurances, on the part of the present Government, in a still more formal and positive manner."

"He authorized me to assure your Lordship, categorically, that the French Government are quite resolved not to touch Morocco."

In January of the following year Lord Lyons reminded M. Gambetta of these assurances, and "expressed a hope that we should be spared the calamity of an international Morocco question."

M. Gambetta replied that his sentiments on the subject were well known to Lord Lyons.

M. Ordega, the French Minister at Tangier, also held reassuring language to Sir J. D. Hay, adding "that his Government had no ambitious projects regarding Morocco, and that he could clearly and formally declare that no attempt would be made to pursue a course such as had led to late events in Tunis."

Early in 1882 some French troops in pursuit of insurgents, who had made a raid into Algeria from Morocco, crossed the frontier, and a combat ensued.

M. de Freycinet, in conversing with Lord Lyons on the subject, observed, "that the orders of the French Government were that the frontier was to be strictly respected; that nothing could be farther from their thoughts than designs against the independence of Morocco, and that nothing could be more inconvenient to them than to have a Morocco question added to the difficulties already existing."

M. Ordega appears to have given satisfactory assurances to the Sultan when he visited him at Morocco in April 1882, and even to have committed them to writing.

The assurances recently given by M. Waddington and M. Ferry have been equally positive.

Foreign Office, May 8, 1884.

To Sir R. Morier,
No. 142, Confidential, December 7,
1881.

Lord Lyons,
No. 1120, December 14, 1881.

Ibid., No. 32,
January 12, 1882.

Sir J. D. Hay,
No. 9, January 17,
1882.

Lord Lyons,
No. 239, March 17,
1882.

Sir J. D. Hay,
No. 59, Confidential,
April 9, 1882.

Ibid., No. 61, Confidential,
April 13, 1882.

Lord Lyons,
No. 268, May 7,
1884.

G. D.

No. 112.

Earl Granville to Mr. Nicolson.

(No. 53.)

Sir,

Foreign Office, May 8, 1884.

WITH reference to previous correspondence, I transmit herewith, for your information, copy of a despatch which I have received from Her Majesty's Agent and Consul-General at Tunis, inclosing copies of a correspondence which has passed between the Greek Consul at Tunis and himself relative to the case between General Benayad and M. Gringa.*

I am, &c.
(Signed) GRANVILLE.

No. 113.

Earl Granville to Sir S. Lumley.

(No. 104.)

Sir,

Foreign Office, May 8, 1884.

I HAVE informed Count Nigra of the positive assurances which M. Waddington has been authorized by M. Ferry to give to me, respecting French policy in Morocco, and which are recorded in my despatch to Lord Lyons, No. 393 of the 3rd May, copy of which is already in your Excellency's possession.

I am, &c.
(Signed) GRANVILLE.

No. 114.

Earl Granville to Sir J. Drummond Hay.

(No. 20.)

Sir,

Foreign Office, May 9, 1884.

WITH reference to previous correspondence upon the subject of the position of the North-west African Company at Cape Juby, I transmit to you herewith copy of a letter from Sir Joseph Lee, inclosing extracts from a Report received from the Managing Director of the Company's establishment at Cape Juby relative to certain proposals made by Sheikh Abideen Woold Bairook.*

Before replying to the Company I should be glad to be favoured with your observations upon the letter and Report in question.

In my despatch No. 4, Consular, of the 29th August, 1882, I instructed Mr. White to warn the Sultan of Morocco against committing or sanctioning any attacks on British property at Cape Juby, and I think that it would be well that you should now repeat this warning.

I am, &c.
(Signed) GRANVILLE.

No. 115.

Sir J. Pouncefote to Sir J. C. Lee.

Sir,

Foreign Office, May 9, 1884.

I AM directed by Earl Granville to inform you that your letter of the 25th ultimo to Lord E. Fitzmaurice upon the subject of the position of the North-west African Company at Cape Juby will be forwarded to Her Majesty's Minister at Tangier for his observations, and that upon receipt of Sir J. D. Hay's Report a further communication will be addressed to you.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 116.

Sir J. Drummond Hay to Earl Granville.—(Received May 10.)

(No. 42. Confidential.)

My Lord,

Tangier, May 1, 1884.

WITH reference to my despatch No. 39 of the 28th ultimo, I have the honour to transmit the translation of an identic letter addressed by Hadj Mohamed Torres to the Representatives of Austria-Hungary, Germany, Great Britain, Italy, and Spain, inclosing a copy of the letter he had addressed M. Ordega, acceding to his demand for the dismissal of Cid Abd-el-Gebbar from his functions as a magistrate at Wazan, on the condition that the Sultan approved, but declaring very distinctly that this concession was made by him in consequence of the menacing language which M. Ordega had made use of, and in order to "avoid war."

I am informed that the Secretary of the French Legation, M. Montfraix,

• No. 77.

accompanied by the Interpreter, M. Benchimol, brought back this letter to Hadj Mohamed Torres on the night of the 28th ultimo, and indulged in strong and threatening language on account of the declaration regarding the dismissal of Abd-el-Gebbar not having been made without comment or condition.

M. Ordega departed from Tangier for Paris the day before yesterday. I am informed that he directed M. Montfraix, who is left as Chargé d'Affaires, to hold no communication with Hadj Mohamed Torres, and that a letter from the Vizir brought by a courier direct to the French Legation from the Court was sent last night by M. Montfraix to Hadj Mohamed Torres with a message through the Arabic clerk to say that the letter could not be received for the present. This I conclude is equivalent to breaking off relations with the Sultan's Government, though no notice, verbal or written, has, I understand, been given, nor has the flagstaff at the French Legation been removed.

The "Réveil du Maroc" of yesterday's date, herewith inclosed, the chief articles of which paper are, as I have on previous occasions informed your Lordship, written or inspired by M. Ordega, contains a paragraph stating that the diplomacy of the French Legation "had triumphed," for Abd-el-Gebbar had been dismissed by the Sultan, that the innocence of the son of the Shereef of Wazan had been proved, and that "l'entente la plus parfaite règne à l'heure qu'il est entre les deux Gouvernements."

If M. Ordega caused this paragraph to be inserted, I am led to infer that, should he find the Government at Paris not inclined to approve of the menacing attitude he has assumed, he will say he has gained his object, that Abd-el-Gebbar is dismissed, and that friendly relations continue to exist between the two Governments; in such case, he will probably conceal from them the menacing language he had resorted to and the representations which have been made by the Sultan, through Hadj Mohamed Torres and Kaid Bushta, regarding the protection afforded to the Shereef and to his adult sons, and the declaration of this Government that the protection of the latter is in direct contravention of the Madrid Convention. If, on the other hand, he finds that the French Government are disposed to support him in showing an utter disregard for the representations and the remonstrances of the Sultan, and that his will is to be law, he will probably induce the Government at Paris to authorize him on his return here to strike his flag if his demands are not attended to for the future, without admitting remonstrance, or even explanations, and a hostile demonstration may be made either by the presence of a ship, or ships, of war in these waters, or by the marching of a French force towards the frontier.

The second Memorandum of the Sultan which M. Ordega refused to listen to, and of which I have lately obtained a copy confidentially, contains, as it appears to me, very reasonable and conciliatory replies and propositions. I have given a brief summary of its contents in the accompanying document.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure 1 in No. 116.

Hadj Mohamed Torres to Sir J. Drummond Hay.

(Translation.)

Praise to the one God!

(After usual compliments.)

3 Rajeb, 1301 (April 29, 1884.)

WE have to inform you that we have duly reported to His Majesty the Sultan our conversations with the French Minister regarding the affairs of Wazan, of Mohamed Hamu-el-Kalay, and of Alal Weld-el-Sheikh Ben Tayeb.

We received His Shereefian Majesty's reply, of a nature beneficial to both parties, and inclosing a Memorandum which contains a solution of these questions, and we went to his house (M. Ordega's) to read the Memorandum to him; he refused to listen to it, stating that he would listen to nothing of the kind, but only that Cid Abd-el-Gebbar is dismissed. When we heard him menace us we inclined to what appeared to us expedient, and we acceded to the demand for the dismissal of Abd-el-Gebbar from his official post, with the condition that we should submit it to His Shereefian Majesty, and we wrote to him regarding it, and we stated to him the reason which moved us to satisfy him, but he returned to us the note, and sent to us his First Secretary, a Khaleefah, and his Consul, to demand that we should put nothing in our letter beyond

the dismissal of Abd-el-Gebbar without explaining the cause which moved us to satisfy him, and they informed us in his name that he will have no relations with us.

Annexed is a copy of the note which we sent to him, and which he returned us. We beg you to communicate it to your Government, that they may be aware of what has taken place on the part of this Minister.

We hope that you will act in conformity with the trust we place in you.
Friendship and peace.

(Signed) MOHAMED BEN-EL-ARBY TORRES.

Inclosure 2 in No. 116.

Hadj Mohamed Torres to M. Ordega.

Praise to the one God!

(Translation.)

2 Rajeb, 1301 (April 28, 1884).

TO our friend the judicious, respected, and honoured Minister Plenipotentiary of France, M. Ordega:

We do not cease to inquire after your health, and pray God for your prosperity, which premised:—

As we are mediators for the general welfare, and as it is our desire to obtain what is beneficial and to ward off what may be injurious to His Shereefian Majesty, and as we do not desire war, we find ourselves obliged by pressure to enter into an engagement with you that Cid Abd-el-Gebbar, of Wazan, should be dismissed by the Government; this engagement, however, is made on our own account and in our own name, and subject to the approval of His Shereefian Majesty, for Kaid Bashta-el-Baghdady was sent by His Majesty, on the questions of Wazan, and of Mohamed Hamu-el-Kalay, as you are aware from the Memorandum which was delivered to you, and which we read to you in the presence of the said Kaid, who also spoke to you on the subject of the nephew of Suleyman Ben Kador and his relatives, who are here in Tangier, requesting that they be delivered into the hands of the authorities before they escape, and cause fresh troubles, as happened in the case of his uncle Suleyman, on which subject you gave us your reply, which reply we forwarded to the Sultan, and His Majesty's answer reached us and was contained in the second Memorandum which we, in company with the said Kaid, brought with us to our meeting the day before yesterday, in order that you might hear from us the contents of the Memorandum, and be made aware of the great trouble and care His Shereefian Majesty takes for the just settlement of all these questions; but you refused to allow us to read to you the Memorandum, and you informed us that you would not listen to a word of it unless we declared that Kaid Abd-el-Gebbar was dismissed, and unless Kaid Bashta confirmed his dismissal. We were surprised at your refusal to listen to this Memorandum, and also at what you told us verbally, namely, that you would send Cid Abdessalam with a green standard, and that the people would follow him to Mequinez, whereas the Memorandum that you would not listen to tended to the solution you demanded, but with conditions mutually beneficial to both sides; and at the end of the conference we repeated that we were prepared to enter into an engagement with you for the dismissal of Abd-el-Gebbar, on condition that Cid Mohamed, son of Cid Abdessalam, should not remain in Wazan. We did not cease to insist that the protection of Cid Abdessalam should be annulled, as he is a "Khadem,"* and that the protection of his sons should be annulled as it is not legal, being contrary to the stipulations of the Madrid Convention. Even if the protection of the father were legal, the protection could not be extended to the sons who are of age.

If Cid Mohamed and Cid Abd-el-Gebbar both leave Wazan, the questions mentioned in the Memorandum would be settled, the first as well as the second, and the Government could be conducted, as is right, by the Basha of Laraiche, who is ready to proceed to Wazan, and take steps to promote tranquillity and calm. But as we did not find in you a disposition to facilitate a renewal of investigations at Wazan, and as, in addition to menaces and a refusal to listen to the Memorandum, you declared to us that you were about to proceed to Paris, that you would lay hands on Oochda, that a squadron will come to the Straits, and that you would strike your flag, we have deemed it prudent to accept your demand with the above-mentioned condition.

Friendship and peace.

(Signed) MOHAMED TORRES.

* Person in the service of the Sultan.—J. H. D. H.

Inclosure 3 in No. 116.

Summary of the Sultan's Memorandum which Hadj Mohamed Torres tried to read to M. Ordega on the 26th April, but which M. Ordega declined to listen to.

(Translation.)

AN inquiry will be made into the complaints against Cid Abd-el-Gebbar which are alleged to have been presented by the Mahommedan and Jewish population of Wazan to the French Secretary of Legation, but these complaints must be specified.

The accusation made against Abd-el-Gebbar of having poisoned his own dependant, who died after the cruel flogging inflicted on him by order of the Shereef's son, cannot be admitted, as it is not true that this dependant had calumniated Abd-el-Gebbar. How came it to pass that the Shereef's son took the law into his own hands, without appealing to His Majesty or to his Ministers? As to the declaration of the wife of the murdered man, she should be sent to the Court, where a strict investigation would be made into the charge.

With regard to the French Minister's declaration that the Shereef of Wazan, Hadj Abdessalam, has been under protection for a long time, though it was only lately made public, His Majesty had never before heard that protection had been afforded to him. How is it that such protection should have been granted when it is notorious that he and his ancestors were in the employment of the Government, and therefore the protection afforded to him is contrary to the Convention of Madrid?

Abd-el-Gebbar had never been appointed Governor of Wazan, but was a kind of magistrate, appointed to settle disputes between the Shereefs of that town without the interference, as it were, of a lay Governor. The real Governor of Wazan is the Basha of Laraiche, who has now been ordered to proceed there, and to take note, through a "Nadir," or Inspector, to be appointed for that purpose, of all the property of the Shereefs. The Governor of Laraiche will then apportion out the property of each Shereef, so that there may be no difference between Abd-el-Gebbar and other Shereefs. This will be done also in the various provinces where the Shereefs of Wazan hold property.

The Governor of Laraiche will appoint a Khaleefa, or Lieutenant-Governor, to reside at Wazan, but disputes between the Shereefs will be settled by Abd-el-Gebbar. Should Abd-el-Gebbar and his relatives, the sons of the Shereef, not make peace, and the removal of Abd-el-Gebbar be therefore insisted on, the sons of the Shereef, who have been the cause of all this trouble, must also be required to leave Wazan. Abd-el-Gebbar would then be dismissed and removed.

The sons of the Shereef must not continue to interfere with the course of justice, and prevent the prosecution of the assassins of the Shereef Cid Alarby Ben Cid Alal Ben Tayeb, whose names are mentioned in the margin, but these latter must present themselves for trial.

The statement of the French Minister that he does not approve of the conduct of Mohammed Hamu-el-Kalay is accepted as a proof of his good judgment, and His Majesty thanks him. The suggestion of the French Minister that Hamu should be sent for, and his lands restored to him on his refunding their value, is agreed to, but he must present himself at the Court, where a safe-conduct will be given him, to settle what he owes to the Government. No harm will be done to him, but, should he again be guilty of misconduct, notice will be given to the Minister.

With regard to the declaration of the Minister that Hadj Ali of Laraiche, the son of the late Governor, will not be protected, the Sultan accepts it as a proof of his goodwill, for Hadj Ali, his father, and grandfather, had always been in the service of the Government, and could not, therefore, rightfully be protected.

With regard to Alal, son of Sheikh Ben Tayeb, the Sultan had granted lands in the Hanz to the family of the Sheikh, and had treated them kindly. Alal wrote to the Court complaining of the Governor of Oochda; a letter was thereupon addressed to that functionary, and Alal was told to present himself at the Court, but instead of obeying the summons he went to Tangier, and placed himself under the protection of the French Minister, with intention, it is feared, of returning to the frontier and creating fresh troubles.

An understanding had been come to with the French Government that the family of Oolad Cidi Sheikh should be watched, but, now that Alal has taken refuge with the French Minister, the Sultan declines all further responsibility in case future troubles are caused by him.

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In conclusion, the French Minister's assurances of good-will, and of his desire for peace and harmony, are regarded by the Sultan as proofs of his being a judicious person, for, although everything in this world comes to an end, good acts endure.

No. 117.

Viscount Lyons to Earl Granville.—(Received May 10.)

(No. 271.)

My Lord,

Paris, May 9, 1884.

I HAVE the honour to inclose herewith to your Lordship an article from the Paris newspaper the "Soir" on the subject of Morocco.

The present state of affairs in that country has not yet attracted public attention in France in any very marked degree, but the article in question, though tinged with the enmity towards England which marks the journal in which it occurs, may perhaps be taken as expressing the prevalent opinion on the subject.

After stating that France, Spain, and England first, and Italy next, are the countries most interested in the question, it affirms that for forty years all the troubles in the south of the Algerian Province of Oran have had their origin in Morocco, and that the rebels have always found on the territory of that country a refuge, and a station in which to prepare fresh insurrections.

It proceeds as follows:—

"Sans vouloir tirer, d'une situation analogue en beaucoup de points, des conséquences identiques, nous croyons pouvoir dire que le Maroc est, à l'ouest de l'Algérie, ce qu'était à l'est, il y a trois ans, la Régence de Tunis. Nous ne saurions donc nous désintéresser des choses de cet Empire Musulman, et nous devons même, dans la mesure où cette extension est compatible avec les bonnes relations que nous entretenons avec l'Espagne et l'Angleterre, développer autant que possible l'influence que nos Agents ont su acquérir auprès de Mouley-Hassan. A cet égard, nous avons plaisir à le reconnaître, M. Ordega, Ministre de France à Tanger, rend à notre pays d'excellents services.

"Il a obtenu du Sultan depuis quelque mois des concessions et des mesures qui sont autant de preuves de l'ascendant qu'il exerce."

The article goes on to argue that the true policy of Spain would be to unite with France exclusively in treating the questions of Morocco—"Les affaires du Maroc," it says, "doivent être exclusivement Franco-Espagnoles."

I have, &c.
(Signed) LYONS.

Inclosure in No. 117.

Extract from the "Soir" of May 8, 1884.

QUESTION DU MAROC.—Peut-être n'y a-t-il pas encore une question du Maroc, au sens que, dans le langage courant de la presse, on attache à ce mot; peut-être y en aura-t-il une avant longtemps. Quoi qu'il en soit, on s'occupe beaucoup, depuis quelques jours, au delà de la Manche et en deçà, en deçà comme au delà des Pyrénées, des rivalités d'influence qui se produisent dans cette partie de l'Afrique Septentrionale.

Toutes les Puissances ne sont pas également intéressées aux affaires du Maroc. La France, l'Espagne, et l'Angleterre le sont plus que toutes les autres; puis vient l'Italie, l'Allemagne, l'Autriche-Hongrie, la Turquie, dont le Maroc s'est depuis longtemps détaché complètement, sont, à peu près indifférentes aux faits et gestes du Sultan Mouley-Hassan et aux destinées des populations Marocaines.

La France est obligée de suivre avec attention ce qui se passe à l'ouest de ses possessions Algériennes, parce que la sécurité de la Province d'Oran dépend en grande partie de la tranquillité du Maroc. Depuis quarante ans, tous les troubles dont le Sud Oranais a souffert ont pris naissance sur territoire Marocain; les rebelles y trouvent un refuge assuré contre les poursuites de nos troupes, un lieu de concentration et de ravitaillement en vue d'insurrections nouvelles.

On n'a pas oublié ce qui s'est passé en 1881, et la nécessité à laquelle notre Gouvernement a failli être réduit, de pourchasser au delà de la frontière Oranaise les bandes de Si-Sliman et de Bou-Aména.

Sans vouloir tirer d'une situation, analogue en beaucoup de points, des conséquences identiques, nous croyons pouvoir dire que le Maroc est, à l'ouest de l'Algérie, ce qu'était à l'est, il y a trois ans, la Régence de Tunis. Nous ne saurions donc nous désintéresser des choses de cet Empire Musulman, et nous devons même, dans la mesure où cette extension est compatible avec les bonnes relations que nous entretenons avec l'Espagne et l'Angleterre, développer autant que possible l'influence que nos Agents ont su acquérir auprès de Mouley-Hassan. A cet égard, nous avons plaisir à le reconnaître, M. Ordega, Ministre de France à Tanger, rend à notre pays d'excellents services. Il a obtenu du Sultan, depuis quelques mois, des concessions et des mesures qui sont autant de preuves de l'ascendant qu'il exerce.

L'Espagne, de son côté, surveille d'un œil jaloux ce qui se passe au Maroc. Son voisinage la range dans la catégorie des intéressés du premier degré, et sa situation a beaucoup de rapports avec celle de l'Italie à l'égard de la Tunisie, avant notre occupation. Cela explique le soin avec lequel on suit à Madrid les efforts de la diplomatie Française.

La possession de Gibraltar crée à l'Angleterre des préoccupations de même nature. Que deviendrait l'importance militaire et maritime de cette place de guerre, si une Grande Puissance s'établissait au Maroc et construisait à Ceuta un contre-Gibraltar?

L'Espagne s'est jointe à l'Angleterre contre nous, en 1880, quand fut conclue la Convention qui assure l'indépendance du Maroc. Nous ne voyons pas trop quel avantage il en est résulté pour elle. Nous voyons fort bien, au contraire, quels profits la France et l'Espagne pourraient retirer d'une entente cordiale dans les questions relatives à l'Empire Marocain.

Mais le moment n'est pas encore venu d'examiner ce problème de plus près. Il viendra peut-être plus tôt que beaucoup ne le supposent, et nous espérons qu'alors le Cabinet de Madrid, ayant le juste sentiment de ses propres intérêts, s'empressera d'unir son action à celle du Gouvernement Français. Les affaires du Maroc doivent être exclusivement Franco-Espagnoles.

No. 118.

Viscount Lyons to Earl Granville.—(Received May 10.)

(No. 272. Very Confidential.)

My Lord,

Paris, May 9, 1884.

IN the newspaper article which is inclosed in my immediately preceding despatch it is stated that Morocco is, as regards the west of Algeria at the present moment, what Tunis was as regarded the east of the great French Colony in Africa three years ago.

Without disbelieving the assurances of the French Government, or supposing that the French are deliberately acting on a plan intended to prepare for the annexation of Morocco to France, it is difficult to see without alarm the tendency of events to produce a state of relations between France and Morocco very similar to that which preceded in Tunis the establishment of the French Protectorate of that Regency.

The French Representatives are certainly claiming for France a predominant, not to say exclusive, influence in Morocco, and endeavouring to establish this influence by high-handed proceedings. Not only do they exercise such influence as they have already attained for the advancement of the private material interests of Frenchmen, but they seem to seek opportunities of making a parade of it, even in matters of very small importance. They appear to view with extreme jealousy the possession of influence, however legitimate, by the Representatives of other Powers. In this way they may involve their own self-love first, and afterwards that of their country, in contests in which, as in the case of Tunis, they can ultimately obtain success only by a resort to actual force.

It is difficult for the French Government to check effectually and consistently proceedings of this kind on the part of its Agents. It will perhaps endeavour to do so, so long as public opinion is opposed to the undertaking of any fresh distant and costly expeditions. But the French public appear, in general, dearly to love any high-handed assertion of French power; and the disavowal of a "spirited" Agent abroad may not always be an easy matter for the Government in a country like France, where Ministers are so often and so suddenly overthrown.

I have, &c.
(Signed) LYONS.

No. 119.

Earl Granville to Sir J. Drummond Hay.(No. 2.)
(Telegraphic.)*Foreign Office, May 10, 1884, 6.5 P.M.*

M. JULES FERRY has assured Lord Lyons that relations between France and Morocco are perfectly friendly—no questions between the two Governments of a serious character, and he repudiates all idea of annexing Morocco, of establishing Protectorate, or of promoting troubles in the country.

No. 120.

Earl Granville to Sir J. Drummond Hay.

(No. 21. Ext. 2.)

Foreign Office, May 10, 1884.

Sir,

I TRANSMIT to you herewith, for your information, copy of a despatch from Her Majesty's Ambassador at Paris, stating that his Excellency has received assurances from M. Jules Ferry to the effect that relations between France and Morocco are of a most friendly nature, that no questions exist between the two Governments of a serious character, that the French Government repudiate all idea of annexing Morocco, of fomenting troubles, or of establishing a Protectorate in that country.*

The substance of the above-mentioned despatch was communicated to you to-day by telegraph.

I am, &c.
(Signed) GRANVILLE.

No. 121.

Sir J. Pauncefote to Mr. J. A. Campbell, M.P.

Sir,

Foreign Office, May 10, 1884.

I AM directed by Earl Granville to acknowledge the receipt of your letter of the 2nd instant, inclosing a statement by the Rev. Henry C. Reichardt relative to sale by the French authorities in Tunis of a piece of land adjoining the English church, alleged to have been presented to the trustees of the English Protestant Church at Tunis by a former President of the Municipality, and explaining that owing to certain circumstances the formalities necessary to complete the gift had not been fulfilled. I am to state to you, in reply, that the question at issue being one of disputed title to land between private parties, the case can only be adjusted in the competent Tribunals, unless the parties concerned agree to submit the case to arbitration.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 122.

Sir J. Drummond Hay to Earl Granville.—(Received May 12.)

(No. 44. Secret. Ext.)

My Lord,

Tangier, May 4, 1884.

I HAVE the honour to inform your Lordship that I have this day dispatched the following telegram to your Lordship in cypher:—

"All letters from the Vizir have been returned to Hadj M. Torres by M. Montfraix, the French Chargé d'Affaires. The flag at the French Legation was lowered to-day (Sunday) in pursuance, as is reported, of a telegram received from the French Government, but Hadj M. Torres has received no formal declaration of a rupture of relations.

"There is said to have been fighting at Wazan.

• No. 110.

"P.S.—I learn from a colleague that M. Montfraix told him that there has been no rupture of relations, although his flag remains lowered, when the flags of all the other Legations are flying."

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 123.

Sir J. Drummond Hay to Earl Granville.—(Received May 12.)

(No. 45.)

My Lord,

Tangier, May 5, 1884.

WITH reference to my telegram of the 29th ultimo, and to your Lordship's telegram of the 3rd instant, I have the honour to inform your Lordship that great consternation prevailed in Tangier yesterday in consequence of the French flag, which had been hoisted in the morning, as is usual on Sundays at all the Legations, having been lowered, whilst the fact of letters brought by special couriers from the Moorish Court to the French Chargé d'Affaires having been returned to Hadj M. Torres was publicly known.

The British Interpreter, Mr. Abensur, having casually met the Arabic Clerk of the French Legation, inquired why the flag was not flying; the Clerk replied that the conduct of the Moorish Government had been most reprehensible, and that he supposed a telegram might have been received directing that the flag should be lowered.

Later in the day Cid Mohammed-ben-Suleyman, one of the Sultan's Private Secretaries, who is on a mission at Tangier, brought me a message from Hadj M. Torres, that, seeing the French flag had been lowered, and as two letters from the Moorish Court had been returned to him by M. Montfraix, he had dispatched an express courier to Meknez to report that it was to be apprehended a rupture of relations had taken place, although he had not received any communication, verbal or written, on the subject from the French Legation.

The Secretary informed me that Hadj M. Torres had received a letter from the Court, in which His Shereefian Majesty said that he had not yet decided on following the advice I had given,* to require Abd-el-Gebbar to proceed to Meknez to give explanations of his conduct, as His Majesty was of opinion that it would be thought equivalent to an admission that Abd-el-Gebbar was guilty of the crime of which he was accused, viz., of having poisoned his own dependant, whereas it was evident that the murder was committed by the Shereef's son.

I replied that the fact of His Majesty summoning Abd-el-Gebbar to the Court would not be a proof of the guilt of the latter, whilst his removal from Wazan during the present critical state of the question would tend to tranquillize the minds of the inhabitants of that town, and would prevent the Shereef's sons committing some fresh outrage on Abd-el-Gebbar or his dependants. I requested the Secretary to make known to Hadj M. Torres that he should inform the Sultan I again suggest that my advice should be followed.

Later in the day, as there was no vessel starting for Gibraltar, I determined on hiring a boat to dispatch my telegram to your Lordship of yesterday's date, and I gave notice to the Spanish Chargé d'Affaires, M. Tavira,† and to the Italian Minister, M. Scovasso, that if they had any letters to send they would be taken charge of.

M. Tavira called and informed me that he had just seen M. Montfraix, and that, in reply to his inquiries, the latter had assured him relations were not broken off, and that the flag had been lowered as the Minister was absent.

M. Tavira did not, however, inquire how it came to pass that, when M. Montfraix was in charge of the Legation last year, the flag was always kept flying on Sundays and on festal occasions.

M. Tavira informed me that he considered it would be his duty to report the present anomalous state of affairs to the Spanish Government.

The assurance given to your Lordship by the French Ambassador that friendly relations continue between France and Morocco, and that M. Ordega had left Tangier simply on leave of absence, leads to the supposition that M. Ordega has been acting without authority in his menace to break off relations, to resort to hostilities, and to support the Shereef in raising the standard of rebellion, and that probably he is prepared, should he learn on his arrival at Paris that the Government are not disposed to support such

* See No. 54.—J. H. D. H.

† M. Diosdado left for Cadiz on the 30th ultimo, and is expected to return daily.—J. H. D. H.
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extreme measures, to conceal from them the language that he has held; but, on the other hand, bearing in mind, as I do, the frequent visits of M. Roustan to Paris before the French Government decided to adopt his views about taking possession of Tunis, and that repeated assurances were given to the British and other Governments that it was not the intention of the French Government to take possession of Tunis, I think that we are justified in hesitating to accept the present assurances of the French Government regarding this country.

I am informed that the Shereef of Wazan and his son are purchasing arms and ammunition, and I learn from the Basha of Tangier that a tribe in Asigera, under his Government, has placed itself under the protection of the Shereef, and has refused to submit to his (the Basha's) orders.

I may mention also, in support of the supposition that M. Ordega is plotting, with or without the authority of his Government, for the downfall of the Sultan, and for placing Morocco, through the Shereef, under the Protectorate of France, that a French gentleman, who had dined with M. Ordega two or three days before the latter left, told a colleague that France would ere long become master in Morocco, as she is in Tunis, and that, too, without having to fire a shot, for events were rapidly taking place which would lead to this result.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 124.

Mr. de Bunsen to Earl Granville.—(Received May 12.)

(No. 55. Confidential.)
My Lord,

Madrid, May 8, 1884.

I ASKED the Minister of State yesterday whether, in view of the recent events in Morocco, his Excellency had anything to add to his declarations with regard to the policy of Spain in that country, as made in his conversation with Sir Robert Morier of the 1st March last, which was reported to your Lordship in Sir Robert Morier's despatch No. 32, Confidential, of the 6th of that month.

His Excellency replied that he only wished to repeat most emphatically all he had said on that occasion. He had clearly foreseen the present emergency, and it was in order to meet it that he had suggested an understanding between the Powers most interested in the maintenance of the *status quo*. It was impossible to exaggerate the importance of the present crisis in the relations between France and Morocco, and his Excellency could not but receive with some reserve the pacific assurances which, at Madrid no less than in London, were being made by the respective French Ambassadors. On the eve of the attack on Tunis the French Government had held similar language, and there were many points of resemblance between the two cases. The unruly neighbourhood of the Kroumirs had formed the pretext for French intervention in Tunis, and Baron des Michels, while repeating that France recognized the prevailing interest of Spain in Morocco, had recently explained to him that the friendship of a powerful Chieftain like the Shereef of Wazan was essential to France for the protection of her Algerian frontier from the incursions of the Riff tribes. Señor Elduayen did not doubt that M. Ordega's visit to Paris might likewise be compared to M. Roustan's return "on leave of absence" immediately before the beginning of the Tunisian troubles.

The Minister of State did not conceal his belief that France was aiming at nothing less than a Protectorate over the whole of Morocco, and his Excellency spoke at some length on the aversion with which Spain could not but regard the contingency of being thus hemmed in, to the south as to the north, by a Power which would of course make use of its vantage-ground still further to extend an influence over the affairs of the Peninsula which had for centuries been prejudicial to the dignified independence of her neighbour. In a word, his Excellency said, Spain would strive to the utmost to avoid becoming the mere satellite of France.

Señor Elduayen spoke with great emphasis of the importance which he attached to a close alliance with Great Britain, whose friendship he believed Spain was, in the present conjuncture of affairs, naturally driven to cultivate. He thought, moreover, that the prospect of a French Protectorate on the southern shore of the Straits of Gibraltar was one which must be even more distasteful to Her Majesty's Government than to that of Spain, and that it was reasonable to expect that England, as the most powerful of the

countries which desired the *status quo* in Morocco, would take the lead in striving to maintain it.

Señor Elduayen desired me to repeat to your Lordship the strong opinion of the Spanish Government that there should exist an explicit understanding on the points in question between Great Britain, Italy, and Spain, and he considered that this understanding should take the form of a written agreement to the effect that the Powers in question would combine to uphold the *status quo* in Morocco whenever it should seriously be threatened. Italy, like Spain, was both prepared and anxious to sign such an Agreement, but was awaiting the initiative of Great Britain. Moreover, his Excellency assured me that he had the authority of Prince Bismarck himself in saying that Germany would view the proposed policy with great satisfaction. Austria, his Excellency had reason to believe, would follow in the wake of Germany.

The Minister of State considered it most important that Great Britain, Italy, and Spain should at once arrive at an understanding with regard to the Morocco question, and that some kind of Agreement should be actually signed before the meeting of the proposed Conference on Egyptian finance.

I may state, in conclusion, that his Excellency spoke with some bitterness of what he called the apathy of England in this matter. I said that Her Majesty's Government had, so far as I was aware, in no way receded from the policy which dictated the summoning of the Madrid Conference in 1880, but that I would lose no time in informing your Lordship of his Excellency's views.

I have, &c.
(Signed) MAURICE DE BUNSEN.

P.S.—Señor Diosdado, the Spanish Minister in Morocco, arrived at Madrid the day before yesterday, having been summoned by Señor Elduayen to confer with him on the present emergency.

M. DE B.

No. 125.

Lord Ampthill to Earl Granville.—(Received May 12.)

(No. 119. Confidential.)
My Lord,

Berlin, May 9, 1884.

THE French Ambassador informed Mr. Scott that M. Ordega had arrived at Paris before his Excellency's departure, and M. Ferry, who had seen him, authorized Baron de Courcel, if questioned on the subject of the relations between France and Morocco by the German Government, or by any person interested in ascertaining the truth, to say that there was no ground for the statement that these relations were either interrupted or suspended, but that M. Ordega had simply returned to France on leave of absence.

M. de Courcel added confidentially that M. Ordega, who is of Polish origin, had very possibly sought to give himself undue importance in the eyes of his colleagues and to assert himself unwisely.

There were always questions pending between the two Governments connected with matters on the western frontier of Algeria, which on different occasions had produced some tension, but the French Government desired and intended to maintain their friendly relations with the Sultan of Morocco.

They had studiously discouraged any attempt on the part of the Shereef of Wazan to induce them to give a political character to the purely personal protection which the French Government had for years extended to him solely out of regard for the saintly character attributed to him by numerous Mahommedan fanatics in Algeria as well as in Morocco, as they had no desire to be dragged into awkward complications in the interior of Morocco.

The German Government are, I understand, kept fully informed by their Representative at Tangier of all that is passing there, but Count Hatzfeldt manifests little interest in the question, as there are no German interests likely to be affected by it.

I have, &c.
(For Lord Ampthill),
(Signed) CHARLES S. SCOTT.

Question asked in the House of Commons, May 12, 1884.

Baron Henry de Worms.—To ask the Under-Secretary of State for Foreign Affairs whether he will lay any papers on the subject of the recent dispute between France and Morocco upon the table of the House.

Answer.

Her Majesty's Government are not prepared to lay any papers on the subject at present.

Question asked in the House of Commons, May 12, 1884.

Mr. William Corbet.—To ask the Under-Secretary of State for Foreign Affairs if his attention has been called to a case reported in the "Globe" newspaper of the 5th May, under the head of "Woman-flogging in Morocco," in which it is stated that a girl of good character, named Esther Amar, was cruelly flogged in the presence, and by the command, of a person named Amiel, who was then employed as Interpreter to the British Consular Agent at Casablanca;

Whether the matter was officially reported, by the American Consul, to the English Minister at Tangier;

And whether he can state if any and what steps have been taken to compensate the poor girl for her sufferings, and to punish Amiel for his barbarity.

Answer.

The case referred to occurred about a year ago, and was the subject of a question put in this House on the 15th March, 1883, to which a reply was made at the time. The facts are that eight women, said to be of bad character, had been flogged by the Moorish authorities on a complaint of the Interpreter Amiel, who was present when the punishment was inflicted. He was in consequence summarily dismissed from his post. The case led to representations to the Moorish Government, and orders were given to the local authorities which it is hoped will prevent a recurrence of a similar outrage. I am not aware whether any compensation has been paid, but inquiry will be made.

Earl Granville to Mr. Reade.

(No. 21.)
Sir,

WITH reference to my despatch No. 20 of the 25th ultimo, I transmit to you herewith, for your information, copy of a further despatch from Her Majesty's Chargé d'Affaires at Athens relative to the Benayad-Gringa case.*

I am, &c.
(Signed) GRANVILLE.

Sir A. Dingli to Earl Granville.—(Received May 13.)

My Lord,

Malta, May 8, 1884.

I HAVE the honour to report that the business, in Tunis, for the settlement of which, under the arrangement passed between Her Majesty's Government and the Government of the French Republic, I had the honour of being appointed one of the Arbitrators, was concluded on the 5th instant, and I left Tunis the next day.

2. The cases brought before my French colleague and myself were (1) that of General Si Hamida Ben Ayad against the Tunisian Government, including a series of claims; (2) that of the Franco-English Tunisian Esparto Fibre Supply Company against the same Government, for damages in consequence of a breach of contract.

3. I have reason to believe that Mr. Reade, Her Majesty's Agent and Consul-General, will forward to your Lordship copies of the respective awards; and I may therefore confine myself to a summary of the result in both cases.

4. General Ben Ayad appeared personally before the Arbitrators, assisted first by two advocates, M. Bensasson and M. Pelletier, and, on the retirement of these gentlemen, after the discussion of the greater part of his claims, by Advocate Baudoi. A pamphlet, published in 1883, entitled "Mémoire à l'appui des Réclamations de Si Hamida Ben Ayad, contre le Gouvernement Tunisien," and signed by the said M. Pelletier and by another gentleman, was taken as containing a general description of Ben Ayad's claims; but the said M. Pelletier having declared, at the outset, that that publication was "une œuvre de polémique ayant pour but d'appeler l'attention des Chancelleries," and that the plaintiff's demands would be submitted by special "conclusions" on each claim, the case was proceeded with on such "conclusions," reference being made to the "Mémoire" only when necessary for details.

5. For the Tunisian Government appeared M. Bompard, the Chief Secretary of that Government, who opposed almost every one of Ben Ayad's claims, and brought forward counter-claims against him.

6. The total amount claimed by Ben Ayad was about 4,000,000 piastres (each worth about 6d.), besides interest for many years, at the rate of 12 per cent. per annum; and that of the counter-claims little less than 5,000,000 piastres.

7. All the claims of Ben Ayad were considered on their own merits, and those which, being anterior to the 20th February, 1870, the date fixed, on the institution of the Commission Financière, for the settlement of all claims against the Government, could not, consistently with the instructions contained in M. Waddington's despatch to your Lordship (*vide* Blue Book, No. 1 (1884), p. 30), be taken into consideration as outstanding claims, were, as far as they were substantiated, set off against the Government claims.

8. The annexed statement (Inclosure 1) shows the claims proved on both sides, and a balance against Ben Ayad of 1,181,426 piastres 10 p.; and the other paper (Inclosure 2) shows the amounts of the Government counter-claims which were admitted by Ben Ayad himself, or allowed by the Arbitrators, and those which were withdrawn by the Government or rejected.

9. The claims for the settlement of which Ben Ayad had so long been requesting the interference of, first, Sir Richard Wood, and afterwards Mr. Reade, namely, claims for money due to him for cereals supplied to the Government, were nearly all justified, and consequently admitted. But of his claims under other heads he seems to have never made any distinct mention to either of those gentlemen. And Mr. Reade was extremely surprised when I told him that the Government had put in the counter-claims above stated for items which were to be debited to him, and which had not been included in any previous accounts.

10. When Ben Ayad, assisted by Sir Richard Wood or Mr. Reade, pressed the Tunisian Government to settle his accounts, the Government constantly replied that there were other accounts to settle. That reply, on Ben Ayad's assurances, was taken as a pretext of the authorities to avoid the payment of just claims. And yet Ben Ayad, on the production of the respective documents, admitted before the Arbitrators, with hardly any discussion, upwards of 2,000,000 piastres of the 5,000,000 piastres which the Government claimed.

11. At the sitting of the 24th April M. Bensasson and M. Pelletier retired from the defence of Ben Ayad, on the ground that, with reference to the claim under the head "Nathan Levy," he had given them incorrect information. As that incident caused a

great sensation, I think it is due to Ben Ayad to state that the matter was subsequently explained, and those lawyers forwarded to us the paper of which I beg to inclose a copy.

12. The Franco-English Tunisian Esparto Fibre Company claimed damages from the Tunisian Government for having unjustly refused to permit them to construct a tramway, sufficient for their purposes, though not substantial enough for the use which the Government might in future wish to make of it. The amount claimed was 390,000*l.* on a cancellation of the Concession made to them by the Government of the exclusive right of gathering esparto grass in different districts, or 93,000*l.* that Concession being maintained, and the Company being placed in the condition in which they were on the 2nd February, 1883, the date of their letter to M. Cambon for the approbation of their scheme for a tramway.

13. M. Grand, the Director of Works, opposed the claim, on the ground that no regular application for the approbation of any scheme had ever been made by the Company to the Tunisian Government.

14. The questions thus raised were:—

(1.) Whether the Company were at liberty to construct, or not to construct, any railway of any description, and whether, if they elected to construct one, they were bound to make it more substantial than necessary for their own particular purposes.

(2.) Whether they had made, in the terms of their contract, a regular application for the approval of their scheme.

And, subordinate to the decision on those points—

(3.) Whether the Government had incurred any responsibility for damages.

(4.) Whether the Company should be placed in the condition in which they were on the 2nd February, 1883.

15. The award was that the Company were not bound by their contract to look to the interests of the Government, and they are consequently at liberty, if they choose, to construct a railway or a tramway sufficient for their own purposes, provided only that, according to a special stipulation in the "cahier des charges" annexed to the contract, it should be fit to be worked "à traction de locomotives."

(2.) That the application they made to M. Cambon did not contain the particulars required by the said "cahier des charges."

(3.) That the Government, therefore, was not responsible for damages, as for a refusal to accede to a regular application for a project properly described.

(4.) That (in the event of any question as to the application of the clause in the contract of June 1882, by which, if the grass exported in any three consecutive years should not reach 10,000 tons, the Concession should be forfeited) the period between the 1st March, 1883, and the 30th April, 1884, spent in the preliminary discussion as to the nature of the railway to be constructed, should not be taken into account.

16. About two hours after the delivery of that award, Mr. Hough, one of the gentlemen who appeared in behalf of the Company, forwarded to me a protest, to which I replied the next morning. Copies of this correspondence are also herewith respectfully transmitted.

17. In both cases the costs were divided; and the whole amount was provisionally paid by the Tunisian Government.

I have, &c.
(Signed) A. DINGLI.

Inclsoure 1 in No. 129.

COMPTE Général de Si Hamida Ben Ayad.

Désignation des Articles.	Crédit.		Débit.	
	Prs.	p.	Prs.	p.
Debdeba	11,044	00	..	..
De Montis (créances admises en compensation)..	227,207	50	..	..
	197,009	75	..	..
Solde des céréales—	Prs.			
Fournitures de blé	845,273			
Prix de fabrication de pain	3,150			
Fournitures Caillat	2,560			
	850,983	00	..	..
(Créances admises en compensation).				
Dîmes de Bizerte	52,060	74	..	..
Reliquat de comptes divers	57,259	61	60,975	39
Contre-réclamations du Gouvernement—				
1. Non contestées par Ben Ayad .. .. .	..	..	2,012,657	07
2. Theskérés 145, 146, et 147 .. .. .	..	..	426,225	61
3. Theskéré 268 .. .. .	..	..	200,000	00
4. Theskérés 273 et 275 .. .. .	..	..	120,000	00
5. Theskérés 13, 57, 58, 133, 364, 376, 396, 613, 614, 841, et 842 .. .. .	..	..	188,237	50
6. Theskéré 786 .. .. .	..	..	20,000	00
Theskérés présentés par le Général Ben Ayad (admis en compensation)	451,104	87	..	..
	1,846,669	47	3,028,095	57
Solde en faveur du Gouvernement			1,181,426	10

Inclsoure 2 in No. 129.

RÉCLAMATIONS du Gouvernement.

	Prs.	p.
1. Non contestées par Ben Ayad .. .. .	..	2,012,657 07
2. Admises par la Commission Arbitrale après contestation .. .. .	..	954,463 11
3. Rejetées par la Commission .. .. .	..	36,000 00
4. Abandonnées par le Gouvernement après explications .. .. .	..	1,989,056 00
Total .. .. .	..	4,992,176 18

Inclsoure 3 in No. 129.

MM. Pelletier and Bensasson to the Members of the Commission of Arbitration.

Messieurs,

Tunis, le 25 Avril, 1884.

LES Soussignés croient qu'il est de leur devoir envers le Général Ben Ayad d préciser le sens et la portée des remarques qu'ils ont présentées à la Commission Arbitrale dans la séance d'hier, en motivant leur démission.

Cette détermination a été prise pour des motifs purement personnels.

Chargés de représenter le Général Ben Ayad, ils avaient le droit d'exiger, dans l'intérêt de la cause, ainsi que dans celui de leur dignité, la plus rigoureuse exactitude dans les éléments de fait qui leur étaient fournis.

L'affaire Nathan Levy se fondait sur certaines données; ces données leur paraissaient, et sont en effet, précises et concordantes. Elles furent confirmées par les productions du Gouvernement au cours du débat. La production des registres de Nathan Levy a révélé l'existence de certaines circonstances, qui, sans affecter notablement le fonds, pouvaient donner à entendre qu'il y avait eu, entre Nathan Levy et Ben Ayad, une entente, une collusion.

En effet, tandis que, d'après notre dossier, Nathan écrivait en Novembre 1870 au Gouvernement Tunisien qu'il lui était encore dû par Ben Ayad la somme de 568,000 piastres, et qu'il allait liquider le gage, ses registres établissaient, au contraire, que depuis le 5 Octobre le gage était liquidé; qu'il l'avait été à différentes époques, et que Nathan, par conséquent, n'était pas créancier de toute la somme portée dans sa lettre du 28 Novembre.

Le relevé des registres fut fait à l'audience, le Général Ben Ayad n'y était point préparé, il ne sut point donner au Tribunal, ni nous donner à nous-mêmes, des explications satisfaisantes; et nous avons dû nous retirer.

Nous sommes heureux aujourd'hui de pouvoir dire qu'il est en état d'en fournir, et nous espérons que ses explications édifieront pleinement le Tribunal.

Les motifs purement professionnels pour lesquels nous nous sommes retirés ne se rattachent nullement à nos appréciations sur le fond de l'affaire.

Sur le chapitre Nathan Levy, ainsi que sur tous les autres chapitres de la réclamation Ben Ayad, nous croyons pouvoir affirmer que ses droits sont démontrés en grande partie; que les documents qu'il a produits sont parfaitement concluants, et nous confirmons, en tout point, et avec l'autorité que peut nous donner notre situation indépendante en ce moment, les conclusions que nous avons eu l'honneur de soumettre au Tribunal Arbitral.

Cela suffira, nous l'espérons, pour dissiper les bruits fâcheux que l'on fait courir au sujet de ce regrettable incident.

C'est à la nouvelle défense du Général Ben Ayad qu'il appartient, désormais, de produire les éléments de fait, qui feront la lumière sur l'affaire Nathan Levy, et dont nous avons été heureux de prendre connaissance.

Veuillez, &c.
(Signé) PELLETIER.
BENSASSON.

Inclosure 4 in No. 129.

Mr. Hough to Sir A. Dingli.

ON behalf of the Franco-English Tunisian Esparto Fibre Supply Company (Limited), Edward Jordan Hough, under power of attorney duly delivered to the Commission recently sitting at Tunis to consider the claims of the above Company against the Tunisian Government, protests against the award given this day, on the ground of being against evidence, and contrary to the spirit of the arrangement between the English and French Governments, which had in view a just settlement of all claims based on their merits, the present decision being based on a technicality of the most extreme kind, and contrary to evidence tending to show that, so long as the Government persisted in its obstruction, it was not possible to prepare plans in accordance with the "cahier des charges."

The foregoing, E. J. Hough, therefore prays for another hearing and reconsideration of the case.

(Signed) E. J. HOUGH.

Tunis, May 5, 1884.

Inclosure 5 in No. 129.

Sir A. Dingli to Mr. Hough.

Sir, I HAVE the honour to acknowledge the receipt of the paper you sent me last night, protesting, on behalf of the Franco-English Tunisian Esparto Fibre Supply Company (Limited), against the award given yesterday by M. de Blignières and myself, on the ground, as stated in that paper, of its being against the evidence, and contrary to the spirit of the arrangement between the English and French Governments, which had in view a just settlement of all claims based on their merits, that decision being based on a technicality of the most extreme kind, and contrary to the evidence tending to show that, so long as the Government persisted in its obstruction, it was not possible to prepare plans in accordance with the "cahier des charges."

With the delivery of that award the functions of the Arbitrators ended, and the question consequently cannot be reopened before them. But I have, privately, reconsidered it, and I have found no reason to alter my opinion.

The Arbitrators were bound to give their decision according to law. By law, a party has no right to claim damages from another for a breach of contract unless it proves a complete fulfilment, on its part, of all that it was bound to do, and a failure on the part of the other. And, in point of fact, you did not submit, for the approbation of

the Tunisian Government, a plan, with the particulars required by the "cahier des charges," as you were bound to do by your contract, though it was in your power to do so.

I am, &c.
(Signed) A. DINGLI.

No. 130.

Sir J. Drummond Hay to Earl Granville.—(Received May 13, 10 P.M.)

(Telegraphic.)

Tangier, May 12, 1884.

I HAVE communicated to the Minister for Foreign Affairs substance of your telegram of 10th. His Excellency requested me to thank your Lordship, but said that language of French Government is at variance with acts and language of French Minister, who threatened war and insurrection, refused to admit explanations of Sultan, and returned the letters; that any other Government would decline to receive a Minister who acted thus, and protected those who are conspiring against authority of the Sultan; that if he returns, and protection to the Shereef and his sons is continued, the government of the country will be impossible.

No. 131.

*Earl Granville to Lord Ampthill.**

(No. 132.)

Foreign Office, May 13, 1884.

My Lord,

I TRANSMIT herewith, for your Excellency's information, copies of despatches, as marked in the margin,† on the subject of the satisfactory assurances of the French Government with regard to Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 132.

Earl Granville to Viscount Lyons.

(No. 416.)

Foreign Office, May 13, 1884.

My Lord,

I HAVE received and laid before the Queen your Excellency's despatch No. 268 of the 7th instant, and I have to request that you will take an opportunity of informing M. Jules Ferry that Her Majesty's Government have received with much satisfaction his assurances that the French Government have no designs of any kind upon Morocco, and that there are no questions between the two countries which do not admit of an easy solution.

I am, &c.
(Signed) GRANVILLE.

No. 133.

Mr. Nicolson to Earl Granville.—(Received May 14.)

(No. 49.)

Athens, May 5, 1884.

My Lord,

I HAVE the honour to report that, on receipt of your Lordship's telegram No. 2 of the 3rd instant, relative to the case of General Benayad, I addressed a note to the Minister for Foreign Affairs, of which I beg leave to inclose a copy.

His Excellency informed me that he had received no news on the subject from Tunis beyond the telegram which he had shown me at our last interview, the substance of which I transmitted to your Lordship in my despatch No. 46 of the 29th ultimo. He said that he would, nevertheless, repeat by telegraph his former instructions to the Greek

* Also to Sir S. Lumley (No. 110), Sir A. Paget (No. 71), and Mr. de Bunsen (No. 61).
† Nos. 110, 118, and 132.

Consul to press M. Gringa to accept the arrangement proposed by Her Majesty's Government.

I had the honour to telegraph to your Lordship this evening in the above sense.

I have, &c.
(Signed) A. NICOLSON.

Inclosure in No. 133.

Mr. Nicolson to M. Contostavlos.

M. le Ministre,

Athens, May 5, 1884.

WITH reference to the note which I had the honour to address to your Excellency on the 15th April, I beg leave to acquaint you, in accordance with telegraphic instructions I have received from Earl Granville, that the Greek Consul at Tunis is making difficulties about carrying out the arrangement communicated in my above-mentioned note, and with which your Excellency expressed your entire concurrence.

Your Excellency will remember that in my previous communication I informed your Excellency that Her Majesty's Government were willing to submit to arbitration the question as to which party should possess the ground at Tunis until the other had indicated his title before the competent Tribunal.

Your Excellency was good enough to tell me, in reply, that you would convey instructions in that sense to the Greek Consul at Tunis, and request him to urge on M. Gringa to accept the proposed arrangement. I lost no time in informing Her Majesty's Government that these steps were to be taken; and I have no doubt that I am but anticipating your Excellency's intention when I beg leave to suggest to your Excellency to renew, by telegraph, to the Greek Consul the instructions with which you have already furnished him.

I avail, &c.
(Signed) A. NICOLSON.

No. 134.

Mr. Reade to Earl Granville.—(Received May 14.)

(No. 21.)

My Lord,

Tunis, May 9, 1884.

I HAVE the honour to extend my telegram No. 15 of the 5th instant, reporting the award which had been rendered by the arbitrators in the case of Benayed's claims against the Tunisian Government.

The plaintiff, although successful so far as substantiating some of the principal items he had put forward, was defeated upon a revision of old accounts brought against him in the form of counter-claims, and condemned to pay a balance of something over 1,000,000 piastres, or about 25,000*l.*

Such a result was wholly unexpected, as no fact had been more firmly believed in than that General Benayed was a creditor of the Government to a very considerable extent. From the time of my arrival in this country, in 1879, and so far as I can gather from the records of Sir Richard Wood's administration, that fact has not been denied by the Government itself; and when, in the days of the ex-Minister Kheredine, and of M. Villet, ex-Vice-President of the Finance Commission, the General's accounts were cast up, a considerable balance was admitted as due to him, for which he obtained "theskérés," or promissory notes stamped with the Beylical signet. These "theskérés," notwithstanding reiterated and pressing demands made for their payment by my predecessor, in the first place, and by myself, afterwards, remained unsettled until the month of May 1882, when an understanding was formally come to for their liquidation.

Finding it difficult to otherwise avoid payment of these "theskérés," M. Cambon declared that, until Benayed presented, at one and the same time, every claim he had against the Tunisian Government, the latter would not entertain any one of them separately. Among those claims were several which, although he had no thought of putting them forward, he did not feel he was called upon to abandon, and, placing all his papers in the hands of lawyers and accountants, the "Mémoire," which has since formed the basis of the arbitration inquiry, was drawn up at a cost of very considerable trouble and expense. Much has been said in depreciation of that "Mémoire," but the fact remains that, although, owing to the difficulty of wading clearly through a mass of

documents kept in the usual way of the country, and without any regard to order or method, certain inaccuracies or exaggerations have crept into it, most of the claims it embraces have been admitted by the Arbitral Commission.

With regard to the counter-claims, there can be little doubt they relate for the most part to operations which were accounted for and closed previously to the institution of the Finance Commission. Never, at any rate, have they been put forward until now; and it is difficult to conceive how so remarkable an omission should have occurred in the days of Kheredine and Villet, his bitter enemies.

To one important fact I can myself personally testify. It is that I have, on various occasions, and by successive Prime Ministers, been assured that all accounts between the Tunisian Government and Benayed had been thoroughly sifted by Commissioners appointed expressly for that purpose, and that, with the exception of one or two items, which have since been discharged, the Government had nothing further to pretend against Benayed. It was in confirmation of these assurances that certain title-deeds, which had for some years been held in sequester at the Bardo, were restored to him in July 1882.

So satisfied indeed were the Tunisian Government of the soundness of Benayed's claims, that, in the early part of this year, M. Cambon offered to compound with him for 800,000 fr.

Under these circumstances, it is to be regretted that the counter-claims preferred against Benayed were taken into account by the arbitrators, especially as, according to the conditions of the arbitration bond, all claims dating anteriorly to the establishment of the Finance Commission in March 1870, were to be rejected as inadmissible. The arbitrators, however, took the view that, while the restriction as to date applied to Benayed and all other creditors of the Government, it had no reference whatever to the Government itself. A position of reciprocal obligation and right was thus departed from, and the Government obtained an advantage which, in the opinion of many, was not justified by the circumstances.

To the preceding observations I could, if necessary, add much upon the unsatisfactory nature of certain of the arrangements in connection with the sittings of the Arbitral Commission. I cannot, however, help remarking that the business was conducted for the most part by officials and interpreters in the service of the French and Tunisian authorities, who were deeply interested in securing Benayed's discomfiture. Standing in the midst of a hostile atmosphere, and unprepared for the counter-claims, of which, until a few days prior to the first sitting of the Commission, he had not even a remote idea; without ledger or other books of account to refer to, and having to rely almost entirely upon his memory for an explanation of transactions that occurred nearly twenty years ago, it is not surprising that he failed to satisfy his interrogators on all points.

The communications between Sir A. Dingli and M. de Blignières and his staff of subordinate officials were, on the other hand, of an agreeable nature. Coming as a quasi-stranger among them, he had no reason to withhold confidence in their representations, and, as he consequently saw things from a French point of view, it is not surprising that, notwithstanding the variety and complications of the issues raised, the awards of the two arbitrators are identical.

I have felt it my duty to record the present observations with regard to a case which has for so long a period occupied the serious attention of Her Majesty's Government, and trust that, in view of the part I have so prominently taken in supporting the demand for arbitration, I shall be pardoned for entering into particulars which would otherwise perhaps be regarded as uncalled-for or unwarranted.

In conclusion, I have only to express the grateful acknowledgments which I am requested by General Benayed to convey to your Lordship and Her Majesty's Government for the great interest you have been pleased to take in the matter of his claims against the Tunisian Government, and the powerful support with which those claims have been brought to a final solution.

I have, &c.
(Signed) THOS. F. READE.

No. 135.

Sir J. Drummond Hay to Earl Granville.—(Received May 14, 7 P.M.)

(Telegraphic.)

JUST received your telegram of 11th.

Amiel has left Morocco; he has not British protection. No compensation was demanded or paid. Refer to last paragraph of your Lordship's despatch No. 17 of the 21st April, 1883.

Tangier, May 14, 1884, 3 P.M.

No. 136.

*Earl Granville to Sir J. Drummond Hay.**

(No. 22.)

Sir,

Foreign Office, May 14, 1884.

I TRANSMIT to you herewith, for your confidential information, copy of a despatch from Her Majesty's Ambassador at Paris, containing remarks on the possible consequences of French proceedings in Morocco.†

I am, &c.
(Signed) GRANVILLE.

No. 137.

Mr. Reade to Earl Granville.—(Received May 15.)

(No. 20.)

My Lord,

Tunis, May 1, 1884.

IN the list of outstanding grievances which I had the honour to furnish recently to your Lordship's Office is included one with regard to a small piece of ground adjoining the British Protestant church, which, although it had been ceded to that church by the competent local authority, and, during a period of nearly three years, was occupied by the trustees, has since been a subject of litigation between the said trustees and M. Édouard Rouquerol, a French subject.

Some days ago, a number of workmen in the employ of M. Rouquerol took forcible possession of the ground, notwithstanding the existence of a formal understanding whereby, pending a settlement of the case by reference to the Tribunal of the Sharāa, and with a view to prevent any violent collision between the parties interested, the property should, in the meanwhile, remain unoccupied.

The French Chargé d'Affaires, to whom I have in vain appealed against the above violation of agreement, alleges incompetency to deal with the matter, and, as in the case of the Mareschal outrage, refers me to the ordinary Tribunals. But the circumstances of the two cases differ very materially from each other, and I am therefore compelled to reluctantly submit the whole matter to your Lordship's appreciation and judgment.

The main facts of the case being given in the list of grievances to which I have already alluded, a simple reference to that statement would possibly have sufficed for all the purposes of the present report; but as, with a view to the clearer exposition of the whole story, some additional particulars may not be out of place, I beg leave to reproduce my former statement in a more detailed and complete form.

In the year 1876 the Bey of Tunis granted to the British Protestant community a piece of land on which to erect a church, and an edifice answering all the purposes of the Establishment was shortly afterwards erected there. A translation of the Act of Concession signed by the municipal authorities and specifying the dimensions and limits of the ground I beg herewith to inclose. A stone wall surrounds the whole of the ground with the exception of a small triangular patch, which, being situated outside the wall, extended therefrom to a prickly-pear hedge that formed for some time the eastern extremity of the property.

On this ground it was intended to build a small parsonage, but, the space comprised within its limits being too small, it was resolved to acquire possession, if possible, of a small adjoining piece of land which belonged to the Tunisian Government, and was in the gift or at the disposal of the municipal authorities. Complying, therefore, with the wishes of the chaplain and other members of the Protestant community, I applied for

* Also to Mr. de Bunsen (No. 62, Very Confidential).

† No. 118.

and in the autumn of 1880 succeeded in obtaining from the President of the Municipality the cession of a small addition to the extra-mural patch of ground already mentioned. As an earnest of this grant the President authorized me to remove the prickly-pear fence from its original position, and plant it in a straight line from the corner of a building which adjoins the ground on the north side to a point due south. The additional space thus included amounted to about 240 square yards. I asked repeatedly for a written title to the new ground, but as, for some reason or other which I could not understand, the President invariably put off giving it to me, and I was, at the same time, assured nobody but himself could, under any circumstances, question our right to the property, did not press for it. A few months later the country was invaded by French troops, and the municipal President thrown suddenly into exile. So hurried indeed was his departure, that he left without being able to give effect to his promise that the cession he had made would be ratified in a written and legal form.

The church remained, nevertheless, in possession of the new ground, and not being prepared with the means of building upon it at once, substituted for the prickly-pear hedge a strong double-railed thorn fence with a door and lock and key,* whereby ingress into and egress from it could alone be obtained.

This state of things continued until the spring of 1882, when I learnt, for the first time, that the piece of land last ceded to the church, and the triangular patch already described as forming part of the original grant of 1876, had both been sold some months previously to three persons, named General Elias Musalli, Dr. Mascaro, and Mr. Volterra, for little more than a nominal price: 13 caroubs (or about 4½d.) per square metre was, I understand, paid for what has since realized from 35s. to 40s. per square metre.

The sale was effected in a clandestine manner, and without any notice of the intended transaction being given to the occupiers, who were thus precluded from exercising the right of retaining possession of the "enzel" or lease by paying the rent chargeable upon it. Although aware of the injustice done, I was willing, if possible, to come to a friendly solution of the affair. The terms, however, which were insisted on by the rival claimants, were such as could not for one moment be entertained. I may here state in support of the abundant other evidence that exists as to the matter of occupancy by the church trustees, that M. Pailhes, a lawyer from Bona, called on me at the Consulate for the express purpose of negotiating, if possible, a transaction between the purchasers of the ground and myself.

About this time, that is to say, in the spring of 1882, inroads were made upon the fence which formed the eastern and southern boundary of the ground, a portion of this fence being removed night after night until the whole of it disappeared. Although renewed and fortified a second time it was again taken away, but the delinquent escaped detection. It now became necessary to place the ground under the charge of a responsible watchman; and this was accordingly done.

On the 13th of March, 1882, I wrote a letter to Sid Mohamed Khasnadar, who was then the Prime Minister and Minister for Foreign Affairs of His Highness the Bey, complaining of the irregular and I believe illegal proceedings that had been resorted to for depriving the British Protestant church of a small piece of ground she had already for so protracted a term possessed, and of which a portion was actually included in the Act of Cession of 1876, and could not consequently be called in question.

To that letter, a copy of which I beg also to annex, I have not to this day received any reply.

A guard charged with the requisite Consulate authority encamped on the ground by my orders, and continued in possession for several days, when, at the instance of General Musalli, an understanding was come to that, pending an amicable settlement of the affair, which I was given to understand would without much difficulty be brought about, neither of the parties claiming should occupy it.

So matters stood until the spring of 1883, when further efforts by third parties to settle the difference amicably proving abortive, I appealed to M. Cambon, who decided that the case must go to the Sharāa. Nothing more just and proper than this decision. Unfortunately, however, there is a difficulty attaching to it, which I have vainly laboured to overcome. It is that, while, as occupant of the ground at the time of its sale to General Musalli and Co., I claim for the church the position of defendant in the suit, the other litigant insists, and with, I regret to say, the support of the Residency, upon the right he alleges to an identical privilege.

Having explained in former despatches, and notably in my Report upon the Mareschal outrage of the 19th June, 1883, the great advantage which occupants of disputed ground, and consequently defendants in any suit that may be preferred for

* This key was in the chaplain's charge.

its recovery, possess in this country over the plaintiff, I shall not touch upon that point further than to merely state that, so far as I am informed with regard to the present case, the plaintiff at the Court of the Sharâa, whoever he may be, is doomed to certain failure. If the church stood in that position, the absence of a title-deed, or deed of cession by the municipal authorities, for a considerable part of the ground in dispute, and the admitted "howz" or occupancy of the other party, would be fatal. If, on the other hand, the church appeared as defendant in possession, that fact and the irregular sale of the "enzel" or Government lease, added to the disposal of a small patch that unquestionably belonged to the church, would insure the latter's success.

Under these circumstances, and there being no longer any chance of an amicable settlement, the church trustees commenced, on the 8th June, 1883, to dig a trench on the southern limits of the ground, with the object of afterwards building a stone wall, and thereby establishing their rights to the property in a substantial manner. The workmen had scarcely entered upon their labours, when they were attacked by a more formidable gang in the service of M. Rouquerol, and a serious disturbance took place, which, on a representation I made to M. Cambon, and pursuant to an understanding to which we came regarding the subject in dispute, was immediately suppressed.

According to this understanding, neither of the parties in litigation were to interfere with the ground pending a settlement by the Sharâa of the question as to its proprietorship; and notes to this effect were exchanged between M. Cambon and myself on the same day, of which a copy is hereto annexed.

Not long afterwards, *i.e.*, on the 26th of the same month, I received a note from the Baron d'Estournelles, reminding me of the matter in dispute, and suggesting that, with a view to carry into effect the understanding of the 8th June, the two litigants should simultaneously present their respective title-deeds of this note and of my reply to it. I beg also to inclose copies. It is scarcely necessary I should add that, for reasons which I have already explained and which I did not fail to repeat to the Baron, his proposition was inadmissible.

So matters stood until the past winter, when a transaction took place between M. Rouquerol and two young men of the Benayad and Zerouk families, which it was thought in some quarters would put an end to this long-pending and disagreeable difficulty. Part of the ground in dispute, including the triangular patch that had belonged to the church from its original institution, was sold to these friendly Mahomedans for an exorbitant price, and by them offered as a present to the church. After consultation with the chaplain and other members of the Protestant community, and in view of the unjustifiable nature of the transaction, and the peculiar situation in which the church stood as regards the ground itself, I felt I could do no less than decline the offer, and avoid all participation in the affair.

An impression prevailing that the affair of the church ground had terminated through the above purchase and offered presentation of a portion of it, M. Rouquerol proceeded some days ago to dispose of the remainder in the manner described at the commencement of this despatch, *i.e.*, by taking forcible possession of it, and on my addressing a letter of protest against the act, a correspondence ensued between Baron d'Estournelles and myself, of which I beg leave to annex a copy.

Relying on the understanding to which I had come respecting the ulterior adjudication of this case, I have been led to abandon the hold I had for nearly three years exercised over the property, and as I am not prepared to assert the rights of the church by any resort to physical force, the building operations of the invaders continue, to the great prejudice of that establishment.

I would here beg to say that although prepared to follow M. Rouquerol into the Mussulman Court as defendants, the church trustees are equally ready to submit their case to arbitration, and they have accordingly not omitted through me to so inform the French Residency.

The preceding narration would be incomplete without the three following papers, which I therefore beg to annex:—

A plan of the ground in dispute;

A "fetwa" or ulemaic opinion as to the proprietary rights in question;

And a copy of a note from the Political and Consular Representative of Italy, bearing testimony to the fact that the ground was in the possession of the church during the winters of 1880 and 1881.*

Having now submitted the whole facts of the case, I venture to hope it may be your

* Similar evidence has been obtained from other parties.—T. F. R.

Lordship's pleasure to require that, conformably with the understanding come to with M. Cambon, as well as with the terms of the Anglo-Tunisian Convention of 1863, the following measures of justice may be taken:—

That pending a legal decision of the case, M. Rouquerol and his workmen be called upon to withdraw from the ground in dispute, such ground to continue in the meanwhile unoccupied by either party. That for any right of proprietorship to which he may lay claim M. Rouquerol be directed to appeal to the Tribunal of the Sharâa, and that if, notwithstanding all the evidence conveyed in the past history of the case, the right of the church to the position of defendant in any suit that may be put forward for recovery of the ground be called in question, the matter shall be referred to the decision of the Sharâa, or, if so preferred by the appellant, to that of arbitrators selected by the parties concerned.

I take leave, in conclusion, to observe that, although much may be said respecting the liberality of former Beylical Governments in the matter of grants of land for devotional or charitable purposes, I have studiously abstained from touching upon the moral part of the affair.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 1 in No. 137.

Original Grant of Land for Building a British Protestant Church.

(Translation.)

THE respected, &c., R. Wood, Esq., Her Britannic Majesty's Agent and Consul-General, has asked permission from the Municipal Council for the construction of a Protestant church in the street of Sidi Boumindeel, to the east of the new fish market.

The Council has given him the permission and the work may at once be commenced, the ground having been already measured by the Municipal Council.

The measurement is—

39 $\frac{3}{4}$ metres on the southerly side (from the east to the west);

39 $\frac{3}{4}$ metres on the northerly side;

20 $\frac{1}{2}$ metres on the easterly side (from the south to the north); 29 $\frac{1}{4}$ metres on the westerly side.

Signed by one of the members of the Municipal Council and the President, 26 Moharrem, 1294.

(L.S.)

(Signed)

HAMOUDA BENZACOUR, Member of
the Municipal Council.

(L.S.)

EL ARBI ZEROUK, President of the
Municipality.

*Works Office, Surveillance of the Municipal
Council.*

Inclosure 2 in No. 137.

Mr. Reade to Sy Mohamed Khasnadar.

Excellency,

Tunis, March 13, 1882.

WITH profound surprise I have, for some time past, been aware that a claim has been put forward to a portion of the ground in the possession of the English Protestant church.

As regards a great portion of the land so occupied, a formal grant in writing was made by the Municipal Council with the sanction of His Highness the Bey, an exact copy of which document I beg herewith to inclose. The remaining portion (which, as will be seen from the accompanying plan, is very trifling), was given to us by the late President of the Municipality, Sid El Arbi Zerouk, who formally sanctioned the removal of the barrier from its former site to its present one.

The claim now presented is not, however, limited to the small additional patch of land last ceded, but includes a portion of what is so clearly defined in the written grant before mentioned.

A stone wall built within the limits of the whole property so as to allow of a space outside for the erection upon it, at some future period, of a chaplain's residence, may

possibly have led to the supposition that it constituted a boundary line of the church property, but it is to be regretted that, before entering into any transaction for the disposal of the inclosed space outside the said wall, some inquiry was not made as to the grounds on which it is occupied as part of the church property.

I cannot for one moment believe that, when making the grant under consideration, the Bey's Government ever contemplated retaking any portion of the land so ceded. That Sid El Arbi Zerouk should, within a few months of the sanction he gave for the extension of the small patch outside the aforesaid wall, have determined to deprive the church of the additional strip so included, it is impossible to conceive. If, however, such is really the case, and the Government of the Bey has repented of its charitable donation in regard of the small piece in excess of what is defined in the written grant originally made, I am willing, on behalf of the church, to pay the amount of "enzel" that corresponded to it at the time we acquired possession of it with the sanction of the municipal authority.

The rate at which, I understand, the ground adjoining the church property was sold last year is 13 caroubs per square metre. It is, therefore, the more to be deplored that, not contented with the large legitimate profits of their transaction, the parties therein interested should push their proceedings so far as to encroach upon the rights of the English church in respect of a property which, with the exception of the strip last acquired, she has possessed for several years past, while the whole of it is infinitely less than that in the occupation of any other Christian community in this city.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 3 in No. 137.

M. Cambon to Mr. Reade.

M. l'Agent et Consul-Général, Tunis, le 8 Juin, 1883.

J'E suis tout disposé à inviter M. Rouquerol à interrompre les travaux qu'il a entrepris sur le terrain qu'il revendique jusqu'à ce que le Tribunal du "Sharâa," seul compétent pour juger la question, ait prononcé sur ses prétentions.

Mais vous trouverez certainement juste de faire de votre côté la même invitation à M. le Pasteur Reichardt, contestant.

Je vous serai obligé de me faire connaître votre réponse à ce sujet.

Agréez, &c.
(Signé) P. CAMBON.

Inclosure 4 in No. 137.

Mr. Reade to M. Cambon.

Excellence, Tunis, le 8 Juin, 1883.

SANS préjuger les droits que chaque une des parties peut avoir sur le terrain contesté, je suis, M. le Ministre, de votre avis sur l'opportunité de faire suspendre d'urgence les travaux, jusqu'au règlement de la question par le Tribunal du "Sharâa."

Je viens par conséquent de donner des ordres dans ce sens à M. Carbonaro, qui se rendra sur les lieux avec M. le Chancelier du Consulat Général de France.

Agréez, &c.
(Signé) THOS F. READE.

Inclosure 5 in No. 137.

Baron d'Estournelles to Mr. Reade.

(Personnelle.)

Cher M. Reade,

Tunis, le 26 Juin, 1883.

M. ROUQUEROL vient me demander de vous rappeler l'affaire du terrain que vous savez et au sujet duquel il a eu une contestation avec M. Reichardt. M. Rouquerol demande seulement à ce que les titres qu'on lui oppose soient portés, comme il était convenu, devant le "Sharâa," afin que la question soit réglée le plus tôt possible. C'est, je crois, l'intérêt des deux parties.

Votre, &c.
(Signé) P. D'ESTOURNELLES.

Inclosure 6 in No. 137.

Mr. Reade to Baron d'Estournelles.

Dear Baron d'Estournelles,

Tunis, June 27, 1883.

FROM the tenour of your note of yesterday, it is evident you are in error as to the terms of the understanding come to between M. Cambon and myself. When I agreed to the arrangement that the matter should be decided by the "Sharâa," I did not and could not abandon the right to which I have always laid claim, that, whatever suit might be engaged in with regard to the ground in dispute, the trustees of the church were entitled to the position therein of defendants. To the possessors of a weak or contestable title, you must know as well as I do that the plea of occupation is a matter of some importance. In this country it is so perhaps more than in any other, and, although I should have no apprehension as to the issue of the suit, if it depended solely on moral or equitable considerations, I am free to confess that the church's claim may possibly break down at the Cadi's Court. It will therefore be easily understood that, in view of the efforts made to deprive the church of what she has every reason to regard as her own, and the failure of all my endeavours to arrive at an amicable solution, I cannot throw away whatever advantage the position of defendant in the proposed suit may give.

I need scarcely add that, whenever M. Rouquerol may think proper to bring his claim to the disputed ground before the local Tribunals, and the trustees of the English church are called on to reply in her defence, the summons, as far as the latter are concerned, will be immediately obeyed.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 7 in No. 137.

Mr. Reade to Baron d'Estournelles.

Sir,

Tunis, April 15, 1884.

WITH reference to the understanding come to between M. Cambon and myself on the 8th June last respecting the piece of ground adjoining the British Protestant church, which has, for some time past, been a subject of contention between the trustees of that church and M. Rouquerol, a French subject, whereby it was engaged that, pending a definite settlement of the question in dispute by the Tribunal of the "Sharâa," neither of the parties claiming the ground should occupy or in any way interfere with the property, I regret to learn that some workmen have, this morning, entered the ground in question, and are at this moment digging a trench on that part of it which adjoins the public street.

Such a proceeding being in direct violation of the before-mentioned agreement, and, as I cannot but presume, effected by order or with the consent of the said M. E. Rouquerol, I have the honour to protest against the act of trespass, and request that you will have the goodness to take such steps as may be necessary to cause the workmen referred to to discontinue their operations, and restore the ground to the condition in which it was at the time the engagement between M. Cambon and myself was entered into.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 8 in No. 137.

Baron d'Estournelles to Mr. Reade.

M. l'Agent et Consul-Général,

Tunis, le 15 Avril, 1884.

AU reçu de la lettre que vous m'avez fait l'honneur de m'écrire en date de ce jour, j'ai demandé à M. Rouquerol de me fournir des éclaircissements sur la nature des constructions qui vous ont été signalées.

Il résulte de ces éclaircissements que M. Rouquerol construirait en effet, mais précisément sur la partie du terrain qui ne lui a pas été contestée.

Je m'empresse de vous en informer.

Agréez, &c.
(Signé) P. D'ESTOURNELLES.

Inclosure 9 in No. 137.

Mr. Reade to Baron d'Estournelles.

Sir,

Tunis, April 19, 1884.

WHILE acknowledging the receipt of your official letter of the 15th instant, informing me, in reply to my communication of the same day, that no encroachment had taken place on the ground which has been so long a subject of litigation between the trustees of the British Protestant church at this place and M. Édouard Rouquerol, a French subject, but that the operations complained of were being executed in ground which had not been disputed, I regret to have again to revert to the subject-matter of my former letter.

On learning this morning that a number of workmen had entered the ground in dispute, and were constructing a wall in it, and that this was being done with the sanction or by the express orders of M. Édouard Rouquerol, I proceeded to the French Residency, and requested that measures might be taken for the immediate stoppage of the works as being in direct violation of the compact entered into between M. Cambon and myself on the 8th June last. M. Robin, whom in your temporary absence I saw, promised to communicate my request to you, but there appears to have been no cessation of the said works during the remainder of the day.

It therefore becomes my imperative duty to place in a written form the protest which I made this morning to M. Robin, and as, with regard to the French interest involved in this affair, the compact to which I have referred was engaged in by M. Cambon, it is to the Residence alone I must look for the necessary redress.

In order that there should be no misunderstanding as to the circumstances under which my present demand is made, I must beg to reiterate what I have so frequently affirmed, that I am in no degree responsible for the continued non-settlement of the present difference, being no less desirous or prepared now than I have ever been to submit to the jurisdiction in respect of it which has been prescribed by M. Cambon himself, namely, the jurisdiction of the Sharāa. As, however, the right of the church trustees to be dealt with as defendants in the suit has been called into question, I can only repeat what I have before suggested, that that point may be very profitably left to the decision of arbitrators.

There is another matter in connection with this case to which it may be well I should recall your attention. I refer to a rumour which appears to have reached the Residency, that the difference under discussion has been amicably settled through the intervention of third parties, who it is alleged purchased a portion of the disputed ground on account of the British Protestant church. I take this opportunity of formally disavowing the accuracy of such a report, the said church having had nothing whatever to do with the alleged transaction, which I believe to be illegal, and, so far as regards the disposal of a small piece which forms part of the original property of the church, highly improper.

Pending the judicial settlement of this case, I must hereby solemnly protest against M. Rouquerol or anybody else building upon or in any manner interfering with the ground in dispute, as calculated to materially prejudice the interests of the church trustees.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 10 in No. 137.

Baron d'Estournelles to Mr. Reade.

M. l'Agent et Consul-Général,

Tunis, le 20 Avril, 1884.

A LA suite de votre demande d'hier j'ai, de nouveau mandé M. Rouquerol, afin de lui rappeler l'engagement que, sur les représentations officieuses de M. Cambon, il avait pris avec l'Eglise Protestante; je lui ai fait connaître la protestation dont vous aviez bien voulu me saisir, et je lui ai demandé de consentir à interrompre ses travaux. Il m'a fait la même réponse que celle que je vous ai transmise le 15 de ce mois, confirmant toutefois ce que j'ai eu l'honneur de vous dire verbalement, à plusieurs reprises, à savoir: que le terrain contesté lui avait été acheté en votre absence par le fils du Général Hamida Benayad et Si Hadi Zarrouk, pour être donné à l'Eglise Protestante et terminer ainsi le différend.

Il considère donc, à son point de vue, la question comme tranchée depuis le jour où le terrain qui lui était contesté par l'Eglise a été acheté pour l'Eglise, à la connaissance de celle-ci, par des protégés du Consulat Anglais.

Je n'ai, dans ces circonstances, comme vous le savez et comme vous en avez eu la preuve lors du différend Benayad-Delsol-Maréchal, d'autre pouvoir que celui de la conciliation officieuse; je crois donc devoir vous dire que je n'ai pas l'espoir de modifier l'opinion de M. Rouquerol, et je ne puis que vous engager à conseiller à l'Eglise Protestante de s'adresser à la justice.

Agréez, &c.
(Signé) P. D'ESTOURNELLES.

Inclosure 11 in No. 137.

Mr. Reade to Baron d'Estournelles.

Sir,

Tunis, April 21, 1884.

I HAD the honour to receive, yesterday evening, your letter of the same day, replying to one I had addressed to you on the 19th instant, for the purpose of protesting against the violation that had taken place of a compact formally entered into between M. Cambon and myself, and which, up to the date of the present incident, has held good, respecting a small piece of land adjoining the garden of the British Protestant church, which has been, for some time past, a subject of contention between the trustees of that church and M. Édouard Rouquerol, a French subject.

With profound astonishment I learn that it is not in your power to maintain that compact, or interfere with the building operations which are being constructed in direct violation of it, and this feeling is all the keener, after knowledge of the understanding lately come to between the French Embassy in London and Her Majesty's Government, whereby it was stipulated that when, with regard to a difference respecting the proprietorship of land or other real property, a question arises as to which of the parties in litigation is plaintiff and which defendant, the matter should be decided by the Cadi.

Without such a decision from the Cadi's Court, and for reasons which are given in my letter of the 27th June last year, and unless so instructed by my Government, you will understand that I cannot accede to your invitation that the church should appear as plaintiff before the Tribunal to which you allude.

Having failed in the endeavour I have repeatedly made to come to a friendly solution of this affair, I regret that I have now no other course than that of submitting the whole case to the consideration of Her Majesty's Government. In the meanwhile, and subject to whatever instructions I may receive from the Secretary of State, I confirm my former protest, reserving to the British Protestant church all the rights attaching to the property of which she has been so illegally and so violently deprived.

In conclusion, I have only to add that, whatever may have been the motive or intention of General Benayad's son and Sid El Hadi Zerouk in purchasing at an exorbitant rate a portion of the land in dispute, including, as I understand, the plot of ground which forms part of the original deed of concession to the church, they did so without the slightest authority on the part of the church trustees. Such a declaration from me is, I feel, wholly unnecessary, but I make it, as, notwithstanding my former disavowal, you have thought proper to allude to that transaction.

I have, &c.
(Signed) THOS. F. READE.

Inclosure 12 in No. 137.

Sketch Map not reproduced.

Inclosure 13 in No. 137.

Translation of a "Fetwa," or Mufti's Opinion, as to Right of Parties claiming the same "Enzel," or Government Leasehold.

A NOS savants, &c.

Que dites-vous sur la question suivante?

Un homme possède un terrain qui est limitrophe à un autre terrain "habous;" il s'adresse à l'administrateur du "habous," et lui proposa de le lui donner à "enzel" (bail

perpétuel) et de le réunir à son terrain. L'administrateur lui promet qu'il le lui donnerait à "enzel," et en conséquence le dit propriétaire fit creuser un fossé autour du terrain, afin d'empêcher qu'on y jetât des ordures. L'administrateur a ensuite loué à "enzel" le dit terrain à une autre personne pour une somme minime, constituant une lésion énorme des intérêts du "habous."

On demande si le voisin put opposer la lésion et être admis à en faire la preuve; et, dans le cas où il prouverait la lésion, est-ce qu'il y aurait lieu à la rescission du contrat conclu par l'administrateur et à la remise du terrain aux enchères? Ou bien faut-il dire que le contrat est valable, qu'il n'y a pas lieu d'opposer la lésion, et d'admettre le propriétaire voisin à en faire la preuve? Répondez, que Dieu vous récompense! Écrit le 9 Regeb, 1301.

Louange à Dieu!

J'ai examiné la question ci-dessus. Mon avis est que l'administrateur du "habous" ne peut être attaqué pour lésion, s'il a conclu son contrat "d'enzel" du dit terrain par l'entremise du Tribunal de la Chéria, après avoir accompli toutes les formalités exigées par la loi. Mais si le contrat a été fait en dehors du Tribunal de la Chéria, on peut l'attaquer pour lésion, même si cette lésion n'est pas considérable, et le contrat "d'enzel" peut être annulé, attendu que les biens "habous" sont soumis à la surveillance du Tribunal, ainsi que cela est écrit dans les docteurs de notre loi. Écrit en Regeb 1301.

(Signé) CHADLY BEN SALAH, Premier Mufti Malékite.

Suit la légalisation du cachet du Mufti.

Louange à Dieu!

J'ai examiné la question ci-dessus, qui se résume ainsi: Lorsqu'on a été mis en possession d'un terrain sur simple promesse de l'administrateur qu'il le donnerait à "enzel" et sans que cet "enzel" ait été effectué, est-on admis à prouver la lésion, lorsque l'administrateur donne le terrain à "enzel" à une autre personne?

Mon avis est que l'individu qui est en possession du terrain sur la promesse de l'administrateur qu'il l'aurait à "enzel," a le droit d'opposer la lésion, et dans le cas où il opposerait la lésion et où il en ferait la preuve légale, le contrat conclu avec l'autre personne deviendrait nul, et il y aurait lieu à mettre le terrain aux enchères, entre les deux concurrents. On peut, lorsqu'il s'agit de biens "habous," opposer la lésion, même lorsqu'elle est de moins d'un tiers. Tasouly, auteur du "Commentaire sur Taoudy," dit: "L'administrateur et le tuteur sont deux mandataires, et il n'est pas nécessaire que la lésion dans les contrats conclus par eux atteigne le tiers de la valeur de la chose, mais il suffit qu'il y ait une insuffisance évidente dans le prix pour lequel ils donnent la chose pour qu'on le considère une lésion. Ainsi que le dit El-Hattab. C'est ce qui résulte aussi de la maxime que l'administrateur n'a de pouvoirs que pour faire l'avantage de son administré, et il n'y a point d'avantage lorsqu'il y a moins que le loyer donné pour des choses semblables."

C'est aussi ce qui nous a semblé. Écrit par le pauvre devant son Dieu.

(Signé) SALAH BEN FARHAT, Mufti.

Suit la légalisation du Premier Ministre, Sid Mohamed El-Aziz Bonaltour, avec son cachet.

Inclosure 14 in No. 137.

M. Massiglia to Mr. Reade.

Cher Monsieur,

Tunis, le 1 Mai, 1884.

PAR votre lettre particulière en date d'aujourd'hui vous avez bien voulu me demander de vous communiquer ce qui est à ma connaissance à l'égard du terrain sur lequel on jouait autrefois au lawn-tennis.

Le terrain en question, d'une forme presque carrée, se trouve contigu au jardin de l'église Anglicane, et à l'époque où nous nous réunissions pour jouer, il était entouré de deux côtés d'une haie, le troisième côté étant formé par le mur du jardin de l'église, et le quatrième par le mur du marché à poissons.

On y accédait par une grille en bois dont la clef était en main du pasteur de l'église.

Je n'ai fréquenté le lawn-tennis que pendant l'hiver de 1880-1881.

C'est tout ce que je sais à cet égard.

Votre, &c.

(Signé) A. RAYBAUDI MASSIGLIA.

No. 138.

Earl Granville to Sir A. Dingli.

Sir,

Foreign Office, May 16, 1884.

I HAVE received your letter of the 8th instant, announcing your return to Malta, and the termination of the arbitration upon which you had been engaged at Tunis under the terms of the agreement come to between the English and French Governments.

I have to thank you for this Report of the proceedings, and for the services which you have rendered on this occasion as Arbitrator.

I am, &c.

(Signed) GRANVILLE.

No. 139.

Earl Granville to Mr. de Bunsen.*

(No. 64.)

Sir,

Foreign Office, May 17, 1884.

I TRANSMIT to you herewith copy of a despatch from Her Majesty's Ambassador at Paris, inclosing an extract from the Paris newspaper the "Soir" on the subject of Morocco.†

I am, &c.

(Signed) GRANVILLE.

No. 140.

Sir J. Drummond Hay to Earl Granville.—(Received May 18, 11 P.M.)

(Telegraphic.)

Tangier, May 18, 1884, 5.55 P.M.

AN article in French journal "Gaulois" of the 8th May contains calumnious language alleged to have been held by Ordega to M. Ferry regarding me, Italian colleague, and other Representatives. In the same journal of the 10th editor retracts charges against Spanish Minister at the demand of the Spanish Diplomatic [?].

I beg that Ordega be required by French Government to explain whether communication was made to this journal with his knowledge, and, if so, to retract and apologize in the same journal.

Impossible otherwise to hold any communication hereafter with colleague who ventures to publish calumnies and make false charges to his Government.

No. 141.

Sir J. Drummond Hay to Earl Granville.—(Received May 19.)

(No. 47. Secret. Ext.)

My Lord,

Tangier, May 12, 1884.

I HAVE the honour to inform your Lordship that I have this day addressed the following telegram in cypher to your Lordship:—

"Hadj Mohammed Torres, to whom I communicated the substance of your Lordship's telegram No. 2 of the 10th instant, desired me to convey to your Lordship the expression of his thanks; but his Excellency observed that it is hard to reconcile the acts and language of M. Ordega with the friendly assurances of his Government, seeing that the former has resorted to threats of hostilities being commenced, of rebellion being encouraged and aided, that he declined to listen to the explanations offered by the Sultan, and returned all letters addressed to him by the Moorish authorities. 'Any other Government,' Hadj Mohammed Torres added, 'would decline to receive a Representative who had resorted to such proceedings, and who afforded his protection to persons known to be plotting against His Shereefian Majesty. Should M. Ordega return, and

* Also to Sir J. Drummond Hay (No. 23).

† No. 117.

should the French Government continue to afford protection to the Shereef of Wazan and his sons, it will be quite impossible for the Sultan to carry on the government of Morocco."

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 142.

Sir J. Drummond Hay to Earl Granville.—(Received May 21.)

(No. 46.)
My Lord,

Tangier, May 12, 1884.

HADJ MOHAMMED TORRES called upon me this morning, and I made known to him that the French Government has declared that the most friendly relations exist between the Governments of France and Morocco, that there are no questions in dispute between them of a grave character, and that it was not their policy to encourage disturbances in the Sultan's dominions.

The Acting Minister replied that it was a great satisfaction to receive these assurances, which he should lose no time in communicating to the Sultan, and that he was persuaded His Shereefian Majesty would feel greatly indebted to your Lordship for having elicited such important assurances; but Hadj Mohammed Torres observed that M. Ordega appears to entertain different views from his Government, for his acts and language were at variance with their friendly language; that M. Ordega's refusal to admit the Memoranda of the Sultan explaining the grounds upon which His Majesty objected to dismiss Abd-el-Gebbar from office, and to listen to any remonstrance regarding the outrageous conduct of the Shereef's son, Cid Mohammed, whom the French have taken under protection contrary to the Madrid Convention, his threats that relations would be broken off, that a French force would march across the frontier, and that he would authorize the Shereef of Wazan to raise the green flag, and march upon Meknez, if his demands were not acceded to without comment; the subsequent refusal to receive any communications from himself or from the Court unless Abd-el-Gebbar was dismissed from office; and the lowering of the flag at the French Legation, justified him in declaring that M. Ordega's acts were distinctly at variance with the friendly assurances given by the French Government.

Hadj Mohammed Torres observed that M. Ordega takes undue advantage of their weakness and of the power of the great Government he represents, that he tramples on the rights of the Sultan as an independent Sovereign by affording protection to the Shereef and his sons, and encouraging them to rebel against His Shereefian Majesty's authority, and that no other Government would suffer a Representative to remain in the country who had acted and spoken as M. Ordega has done.

Hadj Mohammed Torres said he trusted that Her Majesty's Government, and the other Governments to whom they had appealed, would expose to the French Government the precarious position in which the authority of the Sultan is placed, and would point out that, should protection continue to be afforded by the French Government to the Shereef of Wazan, his sons, and numerous dependants, all government would become impossible in the country, as these persons were placed, contrary to Treaty, beyond the pale of the Sultan's control, though openly fomenting rebellion against His Majesty's authority under the ægis of France.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 143.

Earl Granville to Sir J. Drummond Hay.

(No. 4.)
(Telegraphic.)

Foreign Office, May 21, 1884.

YOUR telegram of 18th.

I have instructed Her Majesty's Ambassador in Paris to make a representation to the French Government.

No. 144.

Earl Granville to Viscount Lyons.

(No. 456.)
My Lord,

Foreign Office, May 21, 1884.

I TRANSMIT to your Excellency herewith the decypher of a telegram from Sir J. D. Hay, Her Majesty's Minister in Morocco, calling attention to an attack upon him which appeared in the "Gaulois" newspaper of the 8th May,* and which states, on the authority of a communication said to have been made by M. Ordega to M. Jules Ferry, that Sir J. Drummond Hay and the other European Representatives, with the exception of the German Minister, are in the habit of entering into fraudulent contracts with the Moorish Ministers. I have to request your Excellency to bring the article to the notice of M. Ferry, and to urge him to take steps to have this grossly calumnious statement respecting Her Majesty's Minister retracted by M. Ordega, or, in the event of its having been made without his knowledge and authority, to have a statement to that effect inserted in the "Gaulois."

I am, &c.
(Signed) GRANVILLE.

No. 145.

Viscount Lyons to Earl Granville.—(Received May 22.)

(No. 290.)
My Lord,

Paris, May 21, 1884.

THIS afternoon, in execution of the instruction conveyed to me by your Lordship's despatch No. 416 of the 13th instant, I took an opportunity of saying to M. Jules Ferry that Her Majesty's Government had received with much satisfaction his assurances that the French Government have no designs of any kind upon Morocco, and that there are no questions between the two countries which do not admit of an easy solution.

M. Jules Ferry repeated these assurances emphatically.

I have, &c.
(Signed) LYONS.

No. 146.

Earl Granville to Viscount Lyons.†

(No. 458.)
My Lord,

Foreign Office, May 22, 1884.

I TRANSMIT to your Excellency herewith, for your confidential information, copies of despatches, as marked in the margin,‡ upon the subject of French policy in Morocco.

I am, &c.
(Signed) GRANVILLE.

No. 147.

Sir J. Drummond Hay to Earl Granville.—(Received May 26.)

(No. 49. Secret. Ext.)
My Lord,

Tangier, May 17, 1884.

I HAVE the honour to inform your Lordship that I have this day addressed the following telegram to your Lordship:—

"An article published in the Paris journal, the 'Gaulois,' of the 8th instant, contains the account of language alleged to have been held by M. Ordega to M. Ferry, in which calumnious charges are made regarding me, the Italian, and other Representatives at Tangier."

I beg to suggest to your Lordship that M. Ordega should be called upon by the

* No. 140.

† Also to Lord Ampthill (No. 143), Sir A. Paet (No. 82), Sir E. Thornton (No. 145), Lord Dufferin (No. 162), Sir S. Lumley (No. 115), Mr. de Bunsen (No. 66), and Sir J. Drummond Hay (No. 24).

‡ No. 124 (not sent to Madrid) and No. 125 (not sent to Berlin).

French Government to explain whether it was with his knowledge and sanction that this communication was made to the "Gaulois," and if it was so, that he be required to retract and to apologize, and that his retraction and apology be published in the "Gaulois."

Were no notice to be taken of this article, it would be impossible for me hereafter to have any communication whatever with a colleague who has dared to cause such calumnies to be published in a public journal, or to make such false charges to his Government regarding his colleagues.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 148.

Sir J. Drummond Hay to Earl Granville.—(Received May 26.)

(No. 50.)

My Lord,

Tangier, May 17, 1884.

WITH reference to the subject of my telegram of this date, I have the honour to transmit copy of the article published in the "Gaulois" of the 8th instant, containing calumnious statements regarding me and my colleagues, which the editor affirms were communicated by M. Ordega to M. Ferry on the 7th instant. I have marked with red the passages which I consider to be of a libellous character.

As to the charge of my having been "the leader of intrigue" against M. Ordega, your Lordship, being in possession of all that I have written or said regarding his proceedings, will be the best judge whether such an accusation can be justified.

At the conclusion of the article M. Mermeix says: "Nous avons voulu nous faire l'écho impartial du langage tenu par un de nos Représentants officiels;" it is therefore evident that it is at the request or instigation of M. Ordega that these calumnies have been published in the "Gaulois."

I further transmit the translation of an article published in the Spanish journal "La Correspondencia" of the 12th instant, from which your Lordship will learn that at the demand of a Spanish diplomatist, a friend of the editor of the "Gaulois," the latter withdrew, in his journal of the 10th instant, the charges against M. Diosdado.

I beg to draw your Lordship's especial attention to the passages in this article, which I have underlined in red, regarding M. Ordega's conduct in publishing such calumnies respecting his colleagues.

I trust that your Lordship will consider that the libellous charges made in the "Gaulois," and declared by the editor to have been communicated to M. Ferry by M. Ordega regarding one of Her Majesty's Representatives, cannot be passed unnoticed, and that a retraction and an apology should be required in a public form. Under any circumstances unless M. Ordega declares clearly that he never made use of such language regarding myself to M. Ferry or to the editor of the "Gaulois," it cannot be expected that I should hereafter hold any communication with him.

I avow that I am hardly surprised that M. Ordega, since his arrival in Paris, should have ventured to publish offensive language regarding me and other Representatives, for the "Réveil du Maroc," the local journal published at Tangier, which is the mouthpiece of M. Ordega, never ceases to attack or disparage my conduct in covert terms, though it is palpable to all who read the journal to whom the writer alludes, and also to put forward statements at variance with the truth with the view of extolling his own acts. I have hitherto regarded these attacks with silent contempt, though I might have retorted through the channel of Gibraltar or other journals.

Public journals are of course free to animadvert or to comment upon the policy pursued by foreign Representatives; but that a foreign Representative should himself make use of a local journal published under his patronage and guidance to introduce offensive and untruthful remarks regarding his colleagues is certainly a new feature in diplomacy, which, if permitted by Governments, must put an end to all social or even official intercourse between the offender and his colleagues, whom he reviles or attacks.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

P.S.—I understand that the other local paper—"Al-Moghreb Al-aksa"—intends to publish to-morrow the article from "La Correspondencia."

J. H. D. H.

Inclosure 1 in No. 148.

Extract from the "Gaulois" of May 8, 1884.

[See Inclosure 2 in No. 153.]

Inclosure 2 in No. 148.

*Extracts from "La Correspondencia de España" of May 12, 1884.**

(Translation.)

YESTERDAY, in reporting a conversation held in a private salon, I thought it opportune to give my opinion concerning the projects on Morocco which are attributed to France. To-day it is my duty as a patriot not only to repeat and to ratify what I said yesterday, but also to be the first in the Spanish press to protest against the language, so highly anti-diplomatic, which the "Gaulois" of this morning attributes to M. Ordega, the Minister of France at Tangier.

Under the signature of M. Mermeix here is what the Conservative organ of the Boulevard des Italiens pretends was related by M. Ordega to his hierarchical chief, M. Ferry, President of the Council and Minister of State for the Republic:—

"When M. Ordega arrived at Tangier" (thus this gentleman seems to have expressed himself yesterday evening to M. Ferry) "two years ago, he found his colleagues of the Diplomatic Body employed in a work which is not the one for which nations send out and pay their Ambassadors."

After a direct attack on the English Minister and the Italian Consul, M. Mermeix adds in his article (which is a true version of the Ministerial Conference):—

"All the European Representatives lived like fighting cocks ('coqs-en-pâte') at the Moorish Court, the most venal Court in the world. All, with the exception indeed of the German Minister, had caused themselves to be presented with lands and mines in that country, and all 'tripotaient à l'envi' (mixed themselves up *ad lib.* in dirty transactions) with the Ministers of the Sultan."

"The Minister of one State acted as broker for war material for the Empire, he of another Power was purveyor of wines to the Court. This one sold furniture to the Emperor, that one something else."

"Transformed thus into commercial travellers in foreign merchandize, they received like honourable bagmen their percentage, and extracted a profit upon whatever they sold in return for their good offices."

"M. Ordega did not join the Syndicate of his colleagues, and immediately became suspected of all."

"The greater part of the European population became accustomed to consider the French Residency as the only place in the Empire at which they could find justice. This moral force enabled M. Ordega to obtain a marked victory."

The French Minister at Tangier having beaten the drums in his own honour, with an orchestral accompaniment, while relating the incident of M. de Chavagnac, M. Mermeix puts into M. Ordega's mouth the following words:—

"Before proceeding to military conquest (should that be carried out) it is necessary to complete the moral conquest of the country by a wise and prudent diplomacy. At the present moment France aspires to obtain a Treaty which will open the world (!) to all Europeans."

I have had for eighteen years rather the honour than the good fortune to belong to the diplomatic career. I have been in Turkey, in China, in almost all the countries of Europe. I do not remember a precedent analogous to this one I relate. I do not believe that in the annals of cosmopolitan diplomacy there is a case of the chief of a Mission having allowed, with his knowledge, a journal to attribute to him the intention of discussing and insulting his colleagues.

M. Ordega not satisfied with condemning his colleagues at Tangier as prevaricators and thieves, during his conference with his chief, has thought it, if not useful, at least opportune that his opinion on those who represent the different Powers at Morocco, should be matter for publicity and notoriety.

There was a Redeemer and he was crucified though he was the Son of God, and Quixotism is out of place in these selfish and prosaic times. But I am a Spaniard, and

* This communication emanates from a Spanish diplomatist residing at Paris. I think his name is M. Pratt.
—J. H. D. H.

Señor Diosdado, whom I had not the pleasure of knowing personally, succeeded me years ago at Lisbon as First Secretary to our Legation there. This double motive, therefore, impelled me to go this morning as soon as I read the article in the "Gaulois" to M. Mermeix. I found him in the editor's office and said to him:—

"Do you know that the language you ascribe to M. Ordega appears to me to be rash?"

"But it is exact."

"I beg your pardon, England and Italy, like our Holy Mother the Church, will have doctors who will know how to reply to the accusations brought against their Ministers by M. Ordega, which you have echoed, but I assure you that what you said is diametrically opposed to the semblance of truth and to the truth itself with regard to what refers to the Minister of Spain at Tangier."

"Positively, M. Ordega was inexhaustible in his praises of M. Diosdado."

"Then why did you not make an exception of him?"

"He did so. But at the last moment they cut short the end of my article, but if you wish it in to-morrow's issue, I will make the proper rectifications which you point out to me."

"Without fail, M. Mermeix?"

"Without fail. If you will pass by the office to-night I will read the proofs to you."

All imputations applicable to the Spanish Minister in Morocco will be withdrawn, but the secret designs will not be explained, which France must, and does hold on Morocco, and now more than ever it is incumbent upon the Madrid Cabinet to show itself a vigilant Argus on the other side of the Straits.

The "Gaulois" of the 10th publishes the following:—

"Yesterday there was great excitement in the diplomatic circles in consequence of the Conference held between the President of the Council, M. Ferry, and the French Minister in Morocco, M. Ordega, at which the affairs of this latter country were discussed at great length.

"We must repair without the least delay an omission of ours. If it is true that Sir John Drummond and M. Scovasso, the one Minister for England and the other for Italy, have committed more than one venial and hardly diplomatic error, we cannot say the same of the Minister for Spain, whose conduct, according to what M. Ordega declared to M. Ferry, could not be more irreproachable nor more correct."

This correction confirms the letter from "Pierre de Paris" published in the "Correspondencia." The patriotic conduct of our distinguished correspondent is deserving of the highest praise.

No. 149.

Viscount Lyons to Earl Granville.—(Received May 26.)

(No. 296.)
My Lord,

Paris, May 24, 1884.

WITH reference to your despatch No. 336 of the 17th ultimo, I have the honour to inform your Lordship that in the Chamber of Deputies yesterday a debate took place on an interpellation, moved by the Baron de Soubeyran, respecting the loan for the conversion of the Tunisian Debt.

M. de Soubeyran blamed the Government for having allowed the contract for this loan to be made with private financial firms and Companies, instead of being put up for public competition. He moved the following order of the day:—"La Chambre exprime le désir que dans les États protégés par la France les opérations financières garanties par le Gouvernement Français soient traitées avec publicité et concurrence."

M. Tirard, the Minister of Finance, defended the course taken by the Government, and moved, in opposition to M. de Soubeyran, the order of the day pure and simple.

The order of the day pure and simple was carried by 320 votes to 135, the majority for the Government thus being 185.

I do myself the honour to transmit to your Lordship the authentic Report of the debate, although it does not throw much light upon the terms which are to be offered to the holders of Tunisian stock.

I inclose, however, an article from the unofficial newspaper, the "Journal des Débats," of this morning, which purports to give the substance of a Convention for the conversion of the Tunisian Debt, signed by M. Cambon, French Minister Resident at Tunis and Minister for Foreign Affairs of the Bey, with certain French firms and financial

houses. The terms on which the conversion is to be effected are stated in the article, and it is affirmed in it that as soon as the operation is finished the Decree appointing the International Financial Commission will be repealed.

I have, &c.
(Signed) LYONS.

Inclosure in No. 149.

Extract from the "Journal des Débats" of May 24, 1884.

UNE Convention est intervenue pour la conversion de la Dette Tunisienne entre diverses Sociétés de Crédit et M. Cambon, Résident de France à Tunis, Ministre des Affaires Étrangères du Bey. Cette Convention vient d'être envoyée à la signature du Bey; elle sera ensuite rendue exécutoire par Décret du Président de la République. Voici quelques détails sur cette Convention:—

Les 315,000 obligations seront échangées contre des titres d'une valeur nominative de 500 fr., émis à 462 fr. et rapportant 4 pour cent.

En d'autres termes, l'obligation Tunisienne de 500 fr. qui rapporte 25 fr. sera remplacée à valeur nominale égale par un titre rapportant 21 fr. 35 c.

Il en résultera une économie de 2,322,000 fr. par an pour le Budget Tunisien sur le service de la dette.

Les établissements contractants sont la maison Rothschild, le Comptoir d'Escompte, et le Crédit Industriel, qui, seuls, signent les conventions.

Ils se sont adjoint quatre autres établissements: la Banque de Paris et des Pays-Bas, le Crédit Lyonnais, la Société Générale, et la Société Marseillaise.

C'était cette dernière Société qui, jusqu'ici, faisait le service des coupons. Ce sont les établissements contractants qui, désormais, le feront, à moins que l'État ne veuille s'en charger, à un moment quelconque, comme il s'en réserve le droit.

Les établissements en question prennent tous les frais à leur charge, et toutes les opérations d'échange ou de remboursement devront être terminées le 1^{er} Octobre prochain. Une fois ces opérations terminées, on rapportera le Décret qui instituait la Commission Financière Internationale.

No. 150.

Earl Granville to Mr. Reade.

(No. 22.)
Sir,

Foreign Office, May 26, 1884.

I HAVE received your despatch No. 21 of the 9th instant, commenting upon the award of the Arbitrators in the case of General Benayad's claims against the Tunisian Government.

In reply, I have to observe that both you and Mr. Broadley, General Benayad's counsel, strongly advocated the selection of Sir Adrian Dingli as the British Arbitrator.

The General, moreover, was represented before the Arbitrators by two advocates, and he can therefore hardly have been taken by surprise.

I am, &c.
(Signed) GRANVILLE.

No. 151.

Sir J. Lumley to Earl Granville.—(Received May 27.)

(No. 85. Confidential.)
My Lord,

Rome, May 17, 1884.

ON the receipt of your Lordship's despatch No. 101 of the 6th instant, I called on M. Mancini and had some conversation with him on the subject of the proceedings of the French Minister at Tangier.

M. Mancini said that the news from Morocco was very disquieting, for although the incident of the hauling down the French flag had been explained as the natural consequence of the departure from Tangier of the French Minister, the effect produced by

it on all his colleagues and throughout the country (whether intentional or not) was that a rupture of the relations between the French Government had occurred.

As I had taken with me the copy of your Lordship's despatch No. 393 to Lord Lyons, relating your conversation with M. Waddington on the 3rd instant, I read it to M. Mancini in order to show him the positive terms in which M. Waddington had been authorized to assure your Lordship that the policy of France with regard to Morocco was absolutely unchanged, and that there could be no question of anything beyond a slight rectification of the frontier between that country and Algeria in the interior. M. Mancini said he had received a similar assurance, with the addition that the French Government was preparing to conclude a Treaty with Morocco, which would be for the benefit of all the Powers interested in that country.

Nevertheless, M. Mancini confessed that he was not reassured by this statement, for what, in fact, was the nature of the unchanged policy of France towards Morocco? It was marked by protection afforded to the subjects of the Emperor utterly at variance with the terms of the Treaty of Madrid; and it included, according to M. Ferry's own admission, a rectification of the frontier, or, in other words, the cession of a portion of the territory of Morocco to France, and the conclusion of a Treaty between the two countries; and after the experience Europe had gained of the result of the Treaty of Bardo in the relations between France and Tunis, it was impossible to say what might be the upshot of what was represented as a simple Treaty of Commerce between France and Morocco, which, it appeared, necessitated the presence at Paris of the Shereefian Minister for Foreign Affairs.

M. Mancini added that he would tell me in confidence that what made him believe more was going on than was apparent, was the circumstance that the French Government had on more than one occasion lately urged the Italian Government to take possession of Tripoli; to these overtures or suggestions he had replied that what Italy desired was that there should be no changes in the *status quo* of the Mediterranean bordering States, and he added that nothing would induce the Italian Government to take a step which France would certainly use as a pretext for carrying out the designs on Morocco which were attributed to her.

M. Mancini said it had been the desire of the Italian Government, as it had been that of Spain, to interest the Great Powers in some common action for the purpose of maintaining the *status quo* in Morocco, and it was with this view that Count Robilaut had been directed to speak to Count Kálnoky on the subject; the result, however, had not been encouraging, and in the opinion of the Spanish Government the matter had become of such an urgent character that they had frankly intimated to him their determination to come to terms with the French Government without further reference to the other Powers.

I have, &c.
(Signed) J. SAVILE LUMLEY.

No. 152.

Viscount Lyons to Earl Granville.—(Received May 27.)

(No. 302.)

My Lord,

Paris, May 26, 1884.

GENERAL MENABREA, the Italian Ambassador, called upon me yesterday, and asked me whether I intended to take any steps with regard to the calumnious article in the "Gaulois" of the 8th May, respecting the British and Italian Representatives at Tangier.

I told General Menabrea that I had received instructions from your Lordship on the subject, and, that I intended to send without delay a *note verbale* to M. Jules Ferry respecting this matter. I added that the purport of my note would be to request that M. Jules Ferry, if the statements had been made without the knowledge or authority of M. Ordega, would cause a notice to that effect to be put into the "Gaulois," and on the other hand, if the statements did in fact proceed from M. Ordega, then to beg that M. Jules Ferry would call upon M. Ordega to retract them.

General Menabrea said that he should very probably take a similar course with regard to the article so far as it concerned M. Scovasso, the Italian Minister at Tangier.

I have transmitted to your Lordship, in my immediately preceding despatch, a copy of the *note verbale* which I have in fact sent in to-day to M. Jules Ferry.

I have, &c.
(Signed) LYONS.

No. 153.

Viscount Lyons to Earl Granville.—(Received May 27.)

(No. 301.)

My Lord,

Paris, May 26, 1884.

I HAVE the honour to transmit to your Lordship a copy of a *note verbale* in which, in execution of the instruction conveyed to me in your Lordship's despatch No. 456 of the 21st instant, I have brought to M. Jules Ferry's notice the unwarrantable imputations respecting Her Majesty's Minister in Morocco, stated in the "Gaulois" newspaper to have been made to his Excellency by M. Ordega.

I inclose also herewith copies of the two articles in the "Gaulois" containing these statements.

I have, &c.
(Signed) LYONS.

Inclosure 1 in No. 153.

Note Verbale.

LORD LYONS is directed to bring to the notice of his Excellency M. Jules Ferry an article which appeared in the Paris newspaper "Gaulois" of the 8th of this month, and which contains most unwarrantable statements with regard to Sir J. Drummond Hay, Her Majesty's Minister in Morocco, and to some other foreign Representatives in that country.

The "Gaulois" represents these statements to have been made to M. Jules Ferry himself by M. Ordega.

It is to be presumed that the article in question was inserted in the "Gaulois" without the authority or knowledge of M. Ordega; and if so, Lord Lyons is instructed to ask M. Jules Ferry to cause a notice to that effect to be published in the "Gaulois." If, however (as is alleged in the newspaper), the statements did, in fact, emanate from M. Ordega, Lord Lyons is directed to beg M. Jules Ferry to call upon M. Ordega to retract them.

Lord Lyons would more particularly direct attention to the following passages in the article:—

"Sir J. Drummond s'efforçait d'être aussi peu que possible Ministre de l'Angleterre. Il n'avait attiré dans le pays presque aucun de ses nationaux; il n'avait stipulé pour eux aucun avantage.

"Et tous les Ministres étrangers faisaient comme Sir J. D. Hay. Dans leurs postes, ils étaient comme dans des sinécures; ni leurs pays respectifs ni la civilisation générale ne profitaient de leur mission. Ils étaient tous inertes.

"Cette inertie s'explique par les intérêts particuliers des résidents Européens et par l'exemple de Sir J. D. Hay.

"Tous les Ministres Européens vivaient comme coqs-en-pâte auprès de la Cour du Maroc, la Cour la plus vénale du monde.

"Tous, à l'exception cependant du Ministre d'Allemagne (on voit que nous précisons) s'étaient fait donner des terres, des mines dans le pays. Et tous ils tripotaient à l'envi avec les Ministres du Sultan. Le Ministre de tel état faisait des fournitures militaires de l'Empire; tel autre approvisionnait la Cour de vins; celui-ci de meubles, celui-là vendait autre chose.

"Ainsi transformés en commissionnaires en marchandises les Ministres des Puissances Européennes percevaient comme d'honnêtes courtiers de petites commissions. Il se faisaient attribuer des pots-de-vin sur tous leurs marchés pour toutes leurs complaisances."

It seems also right to point out that while in a subsequent number of the "Gaulois" (that of the 10th instant) the charges are withdrawn, so far as they concern the Spanish Minister, they are reiterated as regards Her Majesty's Minister in the following terms:—

"Le Corps Diplomatique au Maroc.—On a été assez ému hier, dans le monde diplomatique, de l'exposé de la question Marocaine tel que l'a fait M. Ordega à M. Ferry, et que nous avons pu nous procurer.

"Une omission que nous avons commise doit être réparée sans retard. Si Sir J. Drummond et le Signor Scovasso, l'un Ministre d'Angleterre, l'autre d'Italie, se compromettent dans des affaires peu diplomatiques; il n'en est pas de même du Ministre d'Espagne, qui, M. Ordega l'a déclaré à M. Ferry, est d'une loyauté inattaquable."

Paris, May 26, 1884.

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Extract from the "Gaulois" of May 8, 1884.

AU MAROC.—Un diplomate Français qui fait beaucoup parler de lui dans la presse Européenne, M. Ordega, Ministre de la République à Tanger, est arrivé à Paris avant-hier.

M. Ordega est un diplomate de la carrière. Il appartient longtemps au personnel des bureaux, à l'Administration Centrale. Puis il occupa successivement plusieurs postes Consulaires en Europe, notamment en Autriche. Voilà deux ans qu'il est au Maroc, et jusqu'ici sa mission n'a pas manqué d'éclat.

M. Ordega est un homme de 45 ans environ, de taille moyenne. Ses allures sont vives; son abord très gracieux; il a l'air fort intelligent et énergique.

Maintenant voici l'exposé de la question Marocaine, tel que l'a fait M. Ordega à M. Jules Ferry, dans l'entretien qu'il a eu hier avec lui:

Lorsque M. Ordega arriva à Tanger, il y a deux ans, il y trouva ses collègues du Corps Diplomatique appliqués à une besogne qui n'est pas celle pour laquelle les nations entretiennent des Ambassadeurs.

Tous ces diplomates étaient depuis longtemps fixés au Maroc. L'Anglais, Sir John Drummond, qui est avec l'Italien, le grand meneur des intrigues anti-Françaises, à Tanger, est au Maroc depuis plus de trente ans.

Ce diplomate, vieilli dans son poste, y avait acquis une grande influence personnelle.

Cette influence tenait beaucoup plus à sa qualité d'ancien résident qu'à la mission qu'il remplissait; car Sir John Drummond s'efforçait d'être aussi peu que possible Ministre de l'Angleterre. Il n'avait attiré dans le pays presque aucun de ses nationaux; il n'avait stipulé pour eux aucun avantage.

Et tous les Ministres étrangers faisaient comme Sir John Drummond. Dans leurs postes, ils étaient comme dans des sinécures; ni leurs pays respectifs ni la civilisation générale ne profitaient de leur mission. Ils étaient tous inertes.

Cette inertie s'explique par les intérêts particuliers des résidents Européens et par l'exemple de Sir John Drummond.

Tous les Ministres Européens vivaient comme coqs-en-pâte auprès de la Cour du Maroc, la Cour la plus vénale du monde.

Tous, à l'exception cependant du Ministre d'Allemagne (on voit que nous précisons), s'étaient fait donner des terres, des mines dans le pays. Et tous ils tripotaient à l'envi avec les Ministres du Sultan. Le Ministre de tel État faisait les fournitures militaires de l'Empire; tel autre approvisionnait la Cour de vins; celui-ci de meubles, celui-là vendait autre chose.

Ainsi transformés en commissionnaires en marchandises, les Ministres des Puissances Européennes percevaient comme d'honnêtes courtiers de petites commissions. Ils se faisaient attribuer des pots-de-vin sur tous leurs marchés, pour toutes leurs complaisances.

On comprend que tous ces bolandistes ne fussent pas favorables à l'immigration Européenne. Tout Européen nouveau venu pouvait être un rival avec qui il faudrait partager, ou une mauvaise langue qui parlerait, découvrirait le pot-aux-roses et renverserait le pot-de-vin.

M. Ordega n'entra pas dans le syndicat de ses collègues.

Aussitôt il devint suspect à tous. Sir John Drummond fut le leader d'une intrigue contre le Ministre de France. Les moindres démarches de celui-ci étaient dénaturées: toutes révélaient bien des projets de conquête de la France sur le Maroc.

Sans s'émouvoir, M. Ordega fit terminer, à la satisfaction de nos nationaux, une série de litiges pendants entre Français et indigènes. Pour arriver à ce résultat, il s'adressa directement au Sultan, qui est l'homme le plus intelligent du Maroc, et au Ministère des Affaires Étrangères, Sidi Mohamed Bargach, esprit éclairé et même libéral.

La protection du Ministre de France s'étendit efficacement sur nos nationaux et sur nos protégés.

La plupart des Européens s'accoutumèrent à considérer la Résidence Française comme le seul lieu de l'Empire où ils pussent trouver justice. Cette force morale permit à M. Ordega de remporter une grande victoire.

Le Shérif d'Ouassan vint un jour lui demander sa protection.

Ce Shérif, qui descend de Mahomet par les femmes et qui est cousin du Sultan, est le chef religieux du Maroc. Très intelligent, très libéral, il avait déjà rendu à la France des services contre Bou-Amena et Si-Sliman.

Cela l'avait rendu un peu suspect au Corps Diplomatique de Tanger. D'autre part, les grands biens possédés par la famille du Shérif excitaient bien des cupidités. Craignant pour sa vie et surtout pour celle des siens, dans un pays où on coupe si facilement la tête, le Shérif d'Ouassan vint avec ses fils à la Résidence de France:

Immédiatement après cette visite, il se produisit un incident qui permit à M. Ordega de montrer à tous que la protection de la France n'était pas un vain mot.

Au retour de Tanger, en rentrant à Ouassan, les fils du Shérif furent insultés. Le Gouverneur d'Ouassan, nommé par le Sultan, encouragea les insulteurs. M. Ordega se rendit auprès de l'Empereur, et il en obtint la révocation du Gouverneur. Les coupables furent arrêtés. Puis les fils du Shérif leur firent grâce.

Cet incident provoqua un redoublement de colère chez Sir John Drummond et ses collègues. Mais M. Ordega n'en fut point troublé; et, quand arriva l'affaire du Comte de Chavagnac, il ne montra pas moins d'énergie.

M. de Chavagnac avait acquis des terres au Riff, pays montagneux, au sud du Maroc. Quand il voulut en prendre possession, on lui objecta que les étrangers n'avaient pas le droit de posséder de la terre au Maroc.

"M. de Chavagnac s'adressa au Ministre de France, qui lui fit rendre justice. C'est alors que les colères des Agents étrangers firent explosion. Sir John Drummond fit télégraphier par un de ces employés, qui est correspondant de l'Agence Reuter, que la France, manifestement, voulait faire une expédition au Maroc.

"Le Consul d'Italie entreprit la même campagne dans le Secolo de Milan. Aujourd'hui, toute l'Europe croit, sur la foi de ces intéressés, que la France prépare une seconde expédition de Tunisie.

"Cela n'est pas vrai.

"Avant de faire la conquête militaire, si on la fait jamais, il faut achever la conquête morale du pays, par une sage et prudente diplomatie. Présentement la France ne veut qu'obtenir un Traité qui ouvre le monde à tous les Européens.

"Dans quelques jours le Ministre des Affaires Étrangères, Sidi-Mohamed Bargach, sera à Paris. Ce diplomate est à Marseille. On va négocier avec lui un Traité définissant le droit de propriété pour les Européens au Maroc, leur permettant de pénétrer dans le pays."

Il s'agit de la France à l'étranger. Nous avons voulu nous faire l'écho impartial du langage tenu par un de ses Représentants officiels.

(Signé) MERMEIX.

Inclosure 3 in No. 153.

Extract from the "Gaulois" of May 10, 1884.

LE CORPS DIPLOMATIQUE AU MAROC.—On a été assez ému hier, dans le monde diplomatique, de l'exposé de la question Marocaine tel que l'a fait M. Ordega à M. Ferry, et que nous avons pu nous procurer.

Une omission que nous avons commise doit être réparée sans retard. Si Sir John Drummond et le Signor Scovasso, l'un Ministre d'Angleterre, l'autre d'Italie, se compromettent dans des affaires peu diplomatiques, il n'en est pas de même du Ministre d'Espagne, qui, M. Ordega l'a déclaré à M. Ferry, est d'une loyauté inattaquable.

No. 154.

Viscount Lyons to Earl Granville.—(Received May 27.)

(No. 303.)
My Lord,

Paris, May 26, 1884.

I THINK it worth while to send your Lordship the inclosed article from the "Journal des Débats," by M. Gabriel Charmes,* although it is rather long, because it seems to me to state pretty clearly the views relative to the affairs of Morocco, which are very prevalent in France at this time.

It contains the ordinary unfounded charges against England and her Representative at Tangier, and betrays the usual jealousy of the influence possessed by Sir John Drummond Hay. It does not, indeed, repeat in the same gross terms the calumnies of the "Gaulois." It contents itself with making the strange assertions that, from having

* Not printed.

lived so long among the people of Morocco, Sir J. D. Hay has adopted their ways of thinking, speaking, and acting; that he has come to regard the cause of his family and his dependents as the cause of England herself, and that he makes it his great object to close Morocco against Europeans, and to allow it to be entered only by a few of his own countrymen, in the hope that little by little they will appropriate to themselves all the resources of the country.

To England the article attributes the design, which it admits to be entirely impractical of making herself mistress of the entrance of the Mediterranean by adding the possession of Tangier to that of Gibraltar. It alleges, in the course of an elaborate defence of the conduct of M. Ordega with regard to protecting the Sheikh of Wazan, that this Sheikh sought the Protectorate of France, "in spite of the numerous efforts of the English Agent to draw him over to England."

Spain is represented as dreaming of establishing a Spanish Empire in Morocco; but it is urged that as she evidently is not strong enough to do this, her interests are really identical with those of France.

The policy of France is described in the following terms:—

"Nous ne rêvons, quoiqu'on en dise, aucune acquisition nouvelle en Afrique; a Tunisie et l'Algérie nous suffisent; nous ne voulons déborder ni sur la Tripolitaine ni sur le Maroc; nous voulons demeurer également en paix avec ces deux pays, où il nous est impossible de renoncer à exercer l'influence que le voisinage de notre grande Colonie rend nécessaire, mais où nous confondons absolument nos intérêts avec ceux de la civilisation Européenne."

As your Lordship is aware, the "Journal des Débats" is an entirely unofficial newspaper.

I have, &c.
(Signed) LYONS.

No. 155.

Sir J. Drummond Hay to Earl Granville.—(Received May 28.)

(No. 51.)

My Lord,

Tangier, May 17, 1884.

I HAVE the honour to transmit the translation of a letter addressed to me by the Vizier in pursuance of instructions he had received from the Sultan, requesting me to make known to His Shereefian Majesty whether I consider the proceedings of M. Ordega are in pursuance of instructions received from the French Government, or whether he has acted on his own responsibility, and stating that the language held by the French military officers at the Moorish Court, and by persons protected by the French, has led His Majesty to apprehend that war is imminent, and therefore His Shereefian Majesty desires to be prepared and to give timely notice to Moorish subjects.

On the receipt of your Lordship's telegrams of the 3rd and 10th instant, I communicated their substance to Hadj M. Torres, which he reported to the Moorish Court, and I have addressed a letter, of which I have the honour to transmit a translation, to the Vizier, in reply to his query.

The French Government has given to Her Majesty's Government formal assurances that friendly relations exist between themselves and the Government of His Shereefian Majesty, and that they do not desire to create disturbances in the Sultan's dominions, but it is evident that the acts and language of M. Ordega have produced on the minds of the Sultan, of his Ministers, and of the population, impressions entirely at variance with these assurances.

M. Ordega will probably have led M. Ferry to believe that I have induced the Sultan and his Government to apprehend that the French Government menaces the stability of his throne. I have only to refer to the several letters I have received from the Vizier, which I transmitted to your Lordship, to prove that no information has been imparted by me which has led the Sultan and his Government to entertain their present apprehensions; on the contrary, I have sought to allay them.

It is not only the Government, but the population also, who are alarmed; the business of merchants is also injuriously affected. Her Majesty's Consul informs me that the agents of British merchants have made inquiry whether it will be safe for them to send goods into the interior.

M. Montfraix continues to refuse to receive any written communication from the Government or local authorities. The agents of the Shereef of Wazan are engaged in purchasing arms, and a colleague informed me that letters from the Shereef to his sons

at Wazan, which are not kept secret, warn them to be prepared, as France is bent upon war with Morocco. The authority of the Sultan is set at defiance by the Shereef, of which I will give your Lordship the following instance, as reported to me by the Basha of Tangier.

The Basha had received late orders from the Sultan to settle the claim of Mr. Manuel Novella, the clerk of Her Majesty's Consulate, for the robbery at his house in July 1880. As justice had not been done, this claim was brought forward again when I was at the Court in 1882, and orders were then given by the Sultan to the late Governor of Anjera, Kaid Kanja, to settle it. A small payment on account of the claim was then effected. When it came to my knowledge, at the end of last year, that the claims of French citizens at Tangier for robberies of their stores, houses, or property were paid by the authorities in consequence of the peremptory demands of the French Legation, I reported to the Vizier that the claim of the British clerk still remained unsettled, and I required that British subjects should be treated as favourably as other foreign subjects. Orders were then sent by the Sultan to the Basha of Tangier, who, on the death of the late Governor of Anjera, was appointed Governor of that province also, to pay the claim, and the Sultan sent an officer of rank with ten troopers to support the Basha in requiring a settlement by the inhabitants of the village of Ain Hamra, in Anjera, whither some of the robbers had fled with the stolen property, which was not recovered.

The inhabitants of this and other villages took refuge with the Shereef Hadj Abdessalam, and declared that they were under his protection; and the French Chargé d'Affaires, M. Montfraix, sent word to the Basha by the Arabic clerk of his Legation that if he interfered with these dependents of the Shereef before M. Ordega returned he would do so at his peril.

The Basha thereupon wrote to M. Montfraix to inquire whether the persons whose names he gave were protected. The letter was returned to him unopened.

The Basha has now dispatched public notaries, accompanied by the Sultan's troopers, to these villages, to take note of the declaration of the inhabitants whether they refuse to obey His Majesty's orders.

I have informed the Basha that I make no claim upon the inhabitants of Anjera on account of this long-pending claim for the robbery of the house of a British subject, but I require that he should settle it in same manner as similar claims of other foreign subjects were settled.

I recommended, under present circumstances, that he should avoid doing anything, without orders from the Sultan, which might produce a conflict between his troops and the inhabitants of Anjera.

I have related this incident to show how the protection afforded to the Shereef and his followers gives rise to a direct interference with the authority of the Sultan's officers, and will lead ere long to the subversion of all government in this country.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure 1 in No. 155.

The Vizier to Sir J. Drummond Hay.

(Translation.)

12 Rajeb, 1301 (May 8, 1884).

OUR Lord the Sultan has directed me to write to you that His Majesty is of opinion that the French Minister is acting with evil intentions, which must be better known to you. His Shereefian Majesty is not certain whether his proceedings are occasioned by orders from his Government or whether they emanate from himself.

His conduct surprises His Majesty the more as he (M. Ordega) had always been treated by His Majesty with friendly consideration and with a desire to satisfy just requests, in accordance with that friendly understanding which existed between the French Government and His Shereefian Majesty's predecessors, from the time of the Sultan Mulai Abderrahman, about forty years ago.

The apprehensions entertained by His Shereefian Majesty have been increased by what it is stated has been written (from Tangier) to the French military officers at the Shereefian Court, who have, in consequence, wished to depart, and what has also been written to protected persons in this town by the French, which has also been reported to us.

We therefore, depending on your friendship and trustworthiness, beg you to make
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known to us what is your opinion of the reports that are spread here, and whether they proceed from the French Minister or from other source, so that His Shereefian Majesty may take steps, if necessary, to warn his subjects—who are now, as it were, lying dormant—to be prepared (for hostilities), so that they may not be taken by surprise, as happened at Tetuan,* when a hostile advance was made before many (of the tribes) heard of it, and then happened what happened. Let us know the real state of affairs.

With every good wish! Finished.

(Signed) MOHAMMED BEN ALARLY BEN AL MOKHTAR.

Inclosure 2 in No. 155.

Sir J. Drummond Hay to the Vizier.

(Translation.)

20 Rajeb, 1301 (May 16, 1884).

I HAVE received your letter of the 12th Rajeb (8th May), in which you inform me that you are directed by His Shereefian Majesty to inquire of me whether the conduct of the French Minister, which has given rise to grave apprehensions, proceeds from directions received from his Government, or emanates solely from himself.

In a late letter, which must have crossed that to which I now reply, I informed you that I had received tidings by telegraph from Her Majesty's Government that the French Government had given the strongest assurances that friendly relations existed between them and the Moorish Government, that they had no intention of breaking them off, or of acting in any hostile manner, or of creating disturbances within the dominions of the Sultan. In the French journals this is repeated, and it is said that the French Minister, M. Ordega, has stated that he is on the best of terms with the Sultan and Cid Mohammed Bargash, and that he had gone to Paris to arrange the terms of a Treaty.

I hear that Cid Mohammed Bargash is now in Paris. I request you to inform me whether he has received instructions from the Sultan to enter into a Treaty or other pact with the French Government, and on what subject.

Copies of the Memoranda of the Sultan, and of the letter from Hadj Mohammed Torres to the French Minister before his departure, which were returned, have been forwarded by me, and by the German, Italian, and Spanish Ministers to our respective Governments, but no reply has yet been received.

(Signed) J. H. DRUMMOND HAY.

No. 156.

Consul-General Playfair to Earl Granville.—(Received May 28.)

(No. 5.)

My Lord,

Algiers, May 24, 1884.

REFERRING to my letter No. 3, dated the 21st ultimo, I have the honour to report that the French Mediterranean squadron, whose arrival I reported in my despatches Nos. 45 and 46, Consular, of the 13th and 14th instant, has left Algiers for Toulon. It is believed that as soon as it has taken in a supply of provisions it will proceed to Morocco.

Ever since the arrival of the squadron at Algiers, rumours have been in circulation that France has the intention of insisting upon the rectification of the frontier between Algiers and Morocco.

It is possible that, as in the case of the Khomair, this may develop into more extensive operations. There can be no doubt, however, that the western frontier of Algeria is as bad as it can be.

I was so impressed with this idea when I wrote my "Travels in the Footsteps of Bruce," that I stated as follows:—

"The French have not shown their usual sagacity in fixing the boundaries of their Colony, or rather, I should say, a desire to avoid even the appearance of encroaching on their neighbours, and perhaps some pressure from other European Powers has induced them to abandon much valuable territory, which, if the prescription of eighteen centuries deserves to be taken into account, undoubtedly belong to Algeria. . . . Two great landmarks remained constant during all the political and geographical changes of North

* The Spanish War.

Africa—the River Tusca, or Oued-el-Kebir, formed the eastern boundary of Numidia, and the Malna, or Molochath, the modern Molonia, the western one of Mauritania Cæsariensis, dividing it from Tingitana, the present Empire of Morocco. . . .

"The French claimed the ancient line; the Moroccans demanded the Tafna, and, as a compromise, the Kiss was accepted—a small river which does not run more than 12 miles along the boundary line. This latter compromise was the less necessary, as the country in dispute was actually in the military occupation of the French. The consequence is that Algeria has no natural frontiers at all, and it has on either side of it one of the strongest, most warlike, and most turbulent tribes in North Africa, the Khomair to the east, and the Beni Snassen to the west."

I trouble your Lordship with these observations to show that the French really have a strong case for wishing to rectify their frontiers; whether they will content themselves with doing so is another question.

I have, &c.

(Signed) R. L. PLAYFAIR.

No. 157.

Sir J. Drummond Hay to Earl Granville.—(Received May 28.)

(No. 53.)

My Lord,

Tangier, May 19, 1884.

WITH reference to my despatch No. 50 of the 17th instant, I have the honour to transmit the local journal "Al-Moghreb Al-aksa" of yesterday's date, in which is published the article in the "Correspondencia" of the 12th May* regarding the calumnious charges made against myself and other Representatives by M. Ordega in the "Gaulois" of the 8th instant.†

I further transmit a translation of extracts from a leading article in the "Al-Moghreb Al-aksa," giving expression to the feelings of the public in Tangier in general regarding the state of agitation which has been produced throughout Morocco by the proceedings of M. Ordega, and the conviction generally entertained by the Sultan and population that the French Government have hostile intentions.

In confirmation of this I annex an extract from a private letter addressed to me by Kaid Maclean, the Military Instructor of the troops, who resides at the Court.

The French Government may be perfectly sincere in the assurances they have given your Lordship that they desire to remain in peaceful relations with His Shereefian Majesty; if so, the conduct of M. Ordega is doubly culpable, for the impression left on the mind of every one by his proceedings is that France is bent upon war, and encourages the Shereef of Wazan in his rebellious acts and aspirations.

An account is given, as your Lordship will see, in the "Al-Moghreb Al-aksa," of what has taken place at Anjera on the part of the inhabitants of three villages, who have placed themselves under the protection of the Shereef, and consequently of the French Legation.

I learnt this morning that the officer and troopers sent by the Basha, in pursuance of orders from the Sultan, to these villages had been warned off, and told that if they had any communication to make, it must be made through the Shereef of Wazan, to whose control they would alone submit.

It is needless for me to point out to your Lordship that the subversion of the Sultan's authority throughout his dominions will take place if the French Government continue to support the Shereef and his dependents in such acts of rebellion.

I am informed that Abd-el-Gebbar has left Wazan, having sent in to the Sultan his resignation as Magistrate.‡ He retains, I understand, the post of Superintendent of "Zanias," or Sanctuaries. The Lieutenant-Governor of Larache has been appointed "Khaleefa," or Chief Magistrate of Wazan, but has been directed not to permit the Shereef, Hadj Abdesselam, or his sons to exercise any temporal authority, such as arresting, imprisoning, or flogging offenders.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

* See Inclosure 2 in No. 148.

† See Inclosure 1 in 148.

‡ See advice given to Sultan, as reported in my despatch No. 33, Most Confidential, April 9, 1884.

Inclosure 1 in No. 157.

Extracts from Article in the "Al-Moghreb Al-aksa."

(Translation.)

WE are unfortunately as yet unable to afford to our readers—eager to gather if only some indication on the subject—any news as to the solution of the drama which is being enacted.

Governments of high standing give assurances of a peaceful character, and—to the no small astonishment of those who are witnesses of the events which are passing—even try to convince us that never have the relations between France and Morocco been on so friendly a footing as at present.

The Legation of the Republic, on the one hand, explains in a manner *sui generis* the absence of the tricolor from their flag-staff; whilst, on the other hand, their mouth-piece* in a confused and contradictory manner appears to act upon a hint to tranquillize the public mind by giving peaceful assurances, whilst at the same time it admits that the relations are strained.

Public opinion, and the press in Europe, are beginning to occupy themselves with this subject, and vigorous articles, like that we quote in another column, discuss the burning question, descending for that purpose to personalities—an example which the character of our journal prevents our following.

We will, therefore, continue to fulfil our mission, which is to chronicle facts, expressing thereupon our modest, but honest opinion.

Two events have occurred during the past week, which manifest in a palpable manner the pretended cordiality reigning between France and Morocco. A short time since, the inhabitants of three villages in Anjera presented themselves to the Shereef of Wazan in order to make their formal submission to him. One of these villages, Ain-el-Hamra, carried its veneration for the Shereef to such lengths that they wished to compel their "tolba"† to substitute the Shereef's name in the public prayers for the name of the Sultan.

On hearing of this event the Moorish Government dispatched a Kaid with ten soldiers, who were ordered, with the assistance of the soldiers under the Basha of Tangier, to conduct the chief men of Ain-el-Hamra to the Shereefian Court. As soon as the Shereef of Wazan received tidings of this he protested against the action of the Government, and was doubtless about to apply to the French Legation for assistance, when the latter sent its Arabic scribe to the Basha with a message, warning him that France would not permit that the people of this village should suffer the least molestation. The Basha, however, must have been found in an unyielding mood, for he maintained his duty was to carry out the orders of the Sultan; thereupon the French Chargé d'Affaires had to send a similar message to the Acting Minister for Foreign Affairs, who, with his greater knowledge and experience in such matters, has doubtless persuaded the Basha to hold his hand, and report the affair to the Court, in order to avoid fresh complications.

It is thus seen that there are no evil intentions. The relations are perfectly cordial. The French Government gives peaceful assurances to all the Great Powers. We are mere visionaries; but the fact remains that, as he have pointed out in former Articles, France and the protection afforded to the Shereef have created an important French State within the Moorish State.

The openly warlike attitude of the Shereef, the no less warlike attitude of the Sultan, who has given orders that even the most distant tribes in Soos should be forewarned, the passive resistance in refusing to accede to the dismissal of the Governor of Wazan, in spite of the assertions that he has been dismissed, the presence of Cid Mohammed Bargash in Paris, the problematic journey of the Count de Chavagnac to Reef, are facts so diametrically contrary to the tranquillizing news they send us from Europe, that we cannot but admit that the situation is most complicated, and that there is no peaceful solution possible that would be honourable to both nations.

We are not here treating of the ordinary questions we are wont to discuss. We are not treating of one of those frequent abuses of power which result in the dismissal or punishment of some official. We are not treating of pecuniary claims, which have ended in the payment of a few thousand dollars more or less. We are not treating of demands to guarantee or favour commerce, the result of which would in no way compromise the existence and sovereignty of the Sultan. We are treating of a matter of life and death for this Government and for this Sovereign—a Sovereign who, as head

* "Le Réveil du Maroc."

† Who read the prayers in the mosques.

Inclosure 2 in No. 157.

Kaid Maclean to Sir J. Drummond Hay.

(Extract.)

Meknez, May 14, 1884.

THE Sultan is very anxious about the French; the chief French officer here has told them at the Court that the French Minister had left Tangier, and has written to tell him to have everything prepared to start at a moment's notice.

I was sent for and asked what I thought. I told the "Hajeb" that I thought the French Minister at Tangier is a hot-headed, indiscreet person, and that my idea is that it is all done to frighten the Sultan.

Yesterday letters were sent out by the Sultan to the different Governors to be prepared for a military expedition.

No. 158.

Mr. Nicolson to Earl Granville.—(Received May 28.)

(No. 54.)

My Lord,

Athens, May 21, 1884.

WITH reference to your Lordship's despatch No. 53 of the 8th instant, I have the honour to state that M. Contostavlos has informed me that he has received a report from the Greek Consul at Tunis to the effect that he is doing all in his power to persuade the brother of M. Gringa to accept the proposal for arbitration, but that this gentleman, who is guided by the counsels of two French Advocates, declines to admit any other arbiter in the matter than the competent Tribunals. The Greek Consul fears that his efforts will be equally unsuccessful with M. Gringa himself when that gentleman returns.

M. Contostavlos assured me that he had even gone beyond his powers in the strong instructions he had given to the Greek Consul, but that neither the Greek Government nor the local Consul could exercise more than moral pressure on M. Gringa. His Excellency said that, even assuming that the action of M. Gringa was quite illegal and arbitrary in the first instance, and even admitting, for the sake of argument, that the Greek Consul had unduly interfered in the proceedings attending the occupation of the ground, yet the Greek Government had no power to do more than they had done; and he feared that the advice of the French Advocates would probably prevail.

His Excellency deeply regretted that such might be the result, and he reiterated his assurance that he had used his utmost endeavours to bring about a solution in the sense suggested by Her Majesty's Government.

I have, &c.
(Signed) A. NICOLSON.

No. 159.

Mr. Reade to Earl Granville.—(Received May 29.)

(No. 22.)

My Lord,

Tunis, May 18, 1884.

WITH reference to my despatch No. 20 of the 9th instant, reporting upon the award which had been rendered by the arbitrators in the case of General Benayed's claims against the Tunisian Government, I have the honour to transmit a copy of that award to your Lordship's Office.

I have, &c.
(Signed) THOS. F. READE.

* Chamberlain.

Award of Arbitrators in the case of General Benayed's Claims against the Tunisian Government.

LES arbitres soussignés ont porté au débit du compte de Si Hamida Benayed les theskérés Nos. 273 et 275, s'élevant ensemble à 120,000 piastres pour leur valeur nominale. Ces theskérés ont été convertis en obligations de la Dette Tunisienne.

Les arbitres croient devoir appeler sur cet article des condamnations prononcées contre Benayed la plus bienveillante attention du Gouvernement Tunisien et lui demander de réduire le montant de ses réclamations de la différence qu'il reconnaîtra exister entre la valeur nominale des theskérés susdits, et la valeur nominale des obligations de la Dette Tunisienne données en échange de ces theskérés.

(Signé) S. DE BLIGNIÈRES.
A. DINGLI.

La Commission instituée par les Gouvernements de France et de la Grande-Bretagne, pour statuer sur les contestations pendantes entre le Gouvernement Tunisien et des sujets ou protégés Britanniques et composée de Sir Adrian Dingli, Président de la Cour d'Appel de Malte, et de M. de Blignières, ancien Contrôleur-Général des Finances en Egypte, nommés par leurs Gouvernements respectifs :

Vu l'acte signé le 5 Avril, 1884, par lequel Si El Aziz Bou Attour, Premier Ministre, représentant le Gouvernement Tunisien, et le Général Si Hamida Benayed, ont déclaré accepter l'arbitrage aux termes de la lettre adressée le 29 Décembre, 1883, à Lord Granville, Ministre des Affaires Étrangères de Sa Majesté la Reine d'Angleterre, par M. Waddington, Ambassadeur de France à Londres, et se sont engagés à se conformer à la décision des arbitres.

Vu cette lettre où le mandat des arbitres est défini comme il suit :—

"Il est bien entendu que ce règlement arbitral ne pourra en aucune façon revenir sur l'arrangement international du 23 Mars, 1870, et sur les décisions de la Commission Financière qui a été instituée dans l'intérêt des créanciers Européens par la France, la Grande-Bretagne, et l'Italie.

"Par conséquent, ne peuvent être soumises à l'arbitrage les réclamations antérieures au dit arrangement, c'est-à-dire, celles qui, étant de la compétence de la Commission, n'auront pas été présentées à la Commission avant le 20 Février, 1870, date à laquelle les dettes du Gouvernement Tunisien ont été irrévocablement arrêtées.

"Dans le cas où il y aurait contestation entre les parties sur la question de savoir si une réclamation antérieure à la date du 20 Février, 1870, n'aurait pas été présentée en temps utile à la Commission Internationale, les arbitres, avant d'examiner, quant au fond, consulteront la Commission.

"Si celle-ci déclare que la réclamation n'a pas été présentée en temps utile, la réclamation ne sera pas soumise à l'arbitrage et restera déchuë.

"Si elle déclare, au contraire, que la réclamation lui a été présentée en temps utile, et s'il est établi que c'est par une cause dont le réclamant n'est pas responsable qu'elle ne l'a pas classée, la réclamation sera jugée par les arbitres.

"Si leur sentence condamne le Gouvernement, la réclamation sera de nouveau renvoyée à la Commission afin qu'elle soit classée dans les conditions de l'arrangement du 23 Mars, 1870."

Vu un Mémoire imprimé en 1883, à l'appui des réclamations du Général Benayed, lesquelles sont classées sous les titres :—

1. Travaux de Si Djoumi.
2. Debdeba.
3. Lumbroso.
4. De Montes.
5. Nathan Levy.
6. Solde des Céréales.
7. Dimes de Bizerte.
8. Dar Sekkat.
9. Dépenses du Palais.
10. Reliquats des comptes divers.
11. Intérêts de 418,897 piastres dues de 1870 à 1876.
12. Theskérés déposés à la Cour des Comptes à la suite de la Conférence de la Marsa.

Vu la réponse du Gouvernement Tunisien au dit Mémoire.

Vu les contre-réclamations du même Gouvernement.

Vu les pièces produites par les parties.

Où MM. Pelletier, Bensasson, et Bodoy, avocats du Général Si Hamida Benayed, et donnant acte de la déclaration faite par M. Pelletier que le Mémoire susdit n'est qu'une œuvre de polémique ayant pour but d'appeler sur cette affaire l'attention des chancelleries, et que les demandes de Benayed seraient formulées dans des conclusions spéciales :

Où, pour le Gouvernement Tunisien, M. Bompard, Secrétaire d'Ambassade, Secrétaire-Général de ce Gouvernement ;

Sur la première réclamation de 215,193 piastres sous le titre de "Travaux" de Si Djoumi :

Attendu qu'il n'est pas contesté que Benayed avant l'année 1870 fit des travaux pour le dessèchement du Lac Si Djoumi, pour le compte de Si Mustapha Khasnadar, qui en était propriétaire par donation de Son Altesse le Bey,

Que par les conclusions présentées, le 10 Avril, 1884, il a été déclaré que son droit pour réclamer du Gouvernement le montant de ses dépenses est né du jour où le Gouvernement est redevenu propriétaire du lac en vertu de la rétrocession que Si Mustapha Khasnadar lui en a faite ;

Que cette rétrocession eut lieu par un acte de transaction, portant la date du 3 Hodja, 1290 (22 Janvier, 1874), par lequel Si Mustapha Khasnadar s'est engagé à payer au Gouvernement la somme de 25,000,000 fr. en raison de sa gestion en qualité de Ministre, et, lui donnant en paiement divers biens meubles et immeubles, lui rétrocéda notamment le Lac Si Djoumi, et s'obligea à lui payer par annuités, en quatorze ans, la somme de 7,000,000 fr. ;

Qu'aucune preuve n'a été faite de l'allégation que cet acte fut extorqué par violence ;

Qu'au contraire, le fait que pour mettre cet acte à l'abri de toute attaque, quelque temps après, le 15 Djoumada Eloula, 1291 (30 Juin, 1874), la Princesse Khaltonu, femme de Si Mustapha, à laquelle celui-ci avait fait donation du lac, déclara que le lac était toujours resté la propriété de son mari, éloigne tout soupçon de contrainte ;

Que la Commission Arbitrale, nommée pour statuer sur les réclamations de M. Ph. Caillat, n'a pas pris connaissance de cet acte, non pas parce qu'il avait été considéré comme attaché de quelque vice, mais comme il est dit dans la sentence rendue le 19 Juin, 1880 (p. 13), parce qu'on l'avait mentionné sans en faire la production ;

Que par conséquent l'action de Benayed contre le Gouvernement, devenu tiers détenteur, ne peut avoir d'autre fondement qu'une loi accordant au créancier, pour l'amélioration d'un immeuble, un droit semblable à l'hypothèque ou au privilège reconnu dans plusieurs pays d'Europe, et par lequel le créancier peut suivre l'immeuble en quelques mains qu'il passe ;

Qu'il résulte de la déclaration du Tribunal du Châra, consulté par ordre de la Commission Arbitrale, que la loi, à Tunis, n'accorde pas au créancier le droit susdit ;

Qu'après cette déclaration, la réclamation de Benayed étant dénuée de fondement en droit, il devint inutile de vérifier si les dépenses faites par Benayed ont, en réalité, apporté aucune amélioration au lac ;

Que l'allégation faite dans l'intérêt de Benayed, que Si Mustapha Khasnadar était en état de faillite, et que, par conséquent, il y avait lieu à un concours de tous les créanciers pour le partage de ses biens, ne conduit pas à une conclusion différente ;

Que selon l'avis du dit Tribunal du Châra la faillite causée par l'occupation des biens du débiteur par un de ses créanciers n'a lieu qu'autant que le débiteur est dépossédé de tous ses biens, et même dans ce cas, selon l'avis de la majorité du Tribunal, les autres créanciers n'ont droit à demander le partage que quand la faillite a été déclarée par sentence, et qu'il a été interdit au débiteur de disposer de ses biens ;

Que dans le cas présent, Si Mustapha Khasnadar n'a pas été dépossédé de tous ses biens—une partie considérable étant restée dans ses mains—et que Benayed n'a fait aucune des protestations ou démarches nécessaires, selon l'avis de la majorité du Châra, pour la conservation de sa créance avant l'année 1881 ;

Que par conséquent il ne peut pas même réclamer la somme insignifiante qui lui serait due en partage, vis-à-vis de la créance du Gouvernement.

Sur la deuxième réclamation :—

Attendu que sous le titre "Debdeba" la demande de Benayed contient quatre chefs:—

1. Dépense d'installation de la "Debdeba"	..	..	..	Piastres.
2. Perte sur la vente de blé à prix réduit	..	..	..	162,077
3. Perte sur la monnaie de ..	..	..	..	180,000
4. Perte résultant de la résolution du marché d'approvisionnement	..	..	..	140,690
				100,000
Total en dehors des intérêts	..	..	..	582,767

Sur le premier chef:—

Attendu que Benayed n'a aucunement prouvé que le Gouvernement s'était obligé à lui rembourser les frais d'installation; et que, comme il a été déclaré par la sentence rendue par la Commission Arbitrale le 17 Avril, 1884, la pièce (dossier No. 2) produite pour (comme il est dit dans les conclusions) établir une convention par laquelle le Gouvernement se serait obligé à rembourser à prix d'expertise la valeur du matériel à l'expiration du marché, n'a pas cet effet;

Que d'ailleurs, d'un contrat signé le 15 Rabbia Ettani, 1282 (le jour même du Décret par lequel Benayed fut nommé Administrateur des Fours Militaires) entre lui et MM. Faussié et Faussié Debru, il appert que les machines, l'outillage, et les accessoires de la "debdeba" devaient être fournis par les associés à leurs frais et remis, après quatre ans, à Si Mustapha Khasnadar, sans remboursement.

Sur le deuxième chef:—

Attendu que Benayed, malgré une invitation que la Commission lui a faite de justifier que, sur la recommandation du Gouvernement de fournir du blé aux boulangers aux prix de 20 piastres cuivre la "ouiba" (annexe au Mémoire susdit No. 9) il ait en effet vendu à ce prix du blé lui appartenant, quelqu'en fût la quantité, a déclaré ne pouvoir faire cette preuve;

Que du compte de la Rabta arrêté le 3 Châaban, 1299, du compte des céréales du 30 Rabia Ewel, 1284, et d'un carnet tenu par le Secrétaire de Benayed, il appert que 2,569 caffis de blé sont sortis à prix réduits, des magasins du Gouvernement, et que le produit, soit 822,080 piastres, est porté à son crédit et au débit de Benayed.

Sur le troisième chef:—

Attendu que Benayed y ayant à l'audience expressément renoncé, la Commission n'a pas à s'en occuper.

Sur le quatrième chef:—

Perte résultant de la résolution du marché d'approvisionnement.

Attendu qu'il a été admis par le Gouvernement que les fournitures qui devaient, selon le marché, continuer jusqu'au 13 Avril, 1871, cessèrent le 3 Août, 1870, c'est-à-dire, 251 jours avant le temps convenu.

Qu'il est constant (dossier 5, 5 bis, 5 ter) que Benayed avait reçu du Gouvernement trois lettres portant les dates du 20 Safar, du 5 et du 14 Rabia, 1287 (24 Mai, et 5 et 14 Juillet, 1870), lui ordonnant de remettre à un Agent du Gouvernement même le matériel qu'il en avait reçu pour ce qu'on appelait "manutention militaire," c'est-à-dire, quelques-uns des instruments nécessaires pour la fabrication du pain et d'autres pâtes pour les rations militaires, dont il avait été chargé par le marché du 14 Kaada, 1282 (31 Mars, 1866); et que cet ordre fut complètement exécuté le 3 Août, 1870.

Qu'en enlevant quelques-uns des outils nécessaires, le Gouvernement a, par cela même, empêché la continuation des fournitures, et que cela peut être considéré comme impliquant, sauf preuve du contraire, une résiliation du marché, par un fait dont le Gouvernement est responsable.

Qu'il incombait au Gouvernement de justifier la résiliation en prouvant une cause légitime, c'est-à-dire, une faute de la part de Benayed;

Qu'il est vrai que des plaintes avaient été faites pour motif de retard dans les fournitures, mais qu'il résulte des pièces mêmes produites par le Gouvernement qu'on lui a seulement recommandé d'être plus exact à l'avenir, ce qui n'implique pas une décision mettant fin au marché, en vertu de la faculté que le Gouvernement s'était réservée dans l'acte susdit du 31 Mars, 1866;

Que la résiliation du marché sans une cause légitime donne à Benayed droit à des dédommagements jusqu'à la concurrence du profit que, dans les sept mois susdits, il aurait probablement fait;

Que selon un compte établi d'après un certificat de deux boulangers, produit par Si Hamida Benayed, et d'après une lettre du Premier Ministre au Ministre de la Guerre, en date du 13 Août, 1870, relative à la quantité de caffis employés chaque jour pour les fournitures militaires, le bénéfice résultant de la fabrication du pain et pâtes alimentaires n'aurait pas été supérieur à 11,044 piastres;

Que le laps de temps écoulé depuis la date de la rupture du marché, et le défaut de mention de cette réclamation dans le compte de la manutention ne sont pas suffisants pour justifier le rejet de la demande; parce qu'il résulte d'une lettre de Benayed du 29 Châaban, 1287 (Novembre 1870), qu'il en avait fait mention au Général Kéréddine, Ministre dirigeant, et il n'y a aucune raison pour supposer qu'il ait ensuite renoncé à cette réclamation.

Sur la troisième réclamation (Lumbroso):—

Attendu que Benayed dans les conclusions du 10 Avril, 1884, y a renoncé en reconnaissant que cette réclamation était antérieure au 20 Février, 1870, et qu'en la reproduisant sur la contre-réclamation du Gouvernement, il a déclaré ne pouvoir produire aucune preuve du paiement qu'il aurait fait à M. David Lumbroso de la somme qu'il réclame.

Sur la quatrième réclamation (De Montes):—

Attendu que selon la réponse de la Commission Financière à une question posée par la Commission Arbitrale, la réclamation est déchuë, et qu'on ne peut ainsi l'admettre, s'il y a lieu, qu'à titre de compensation des créances du Gouvernement antérieures à 1870, et que cette compensation est admise par le Gouvernement comme il est dit ci-après.

Sur la cinquième réclamation (Nathan Levy):—

Attendu qu'il appert d'un reçu produit par le Gouvernement portant la date du 2 Rabia Ettani, 1284 (3 Août, 1867), que Benayed avait reçu du Caïd Moumou un theskéré de 500,000 piastres pour qu'il fut donné en gage chez Moïse Levy et Cesare Guttieres, pour le prix de 1,000 caffis de blé, que Benayed devait acheter pour le compte du Gouvernement;

Que dans la suite ce même theskéré fut, avec d'autres valeurs appartenant tant au Gouvernement qu'à Benayed, engagé chez Nathan Levy, et rendu en paiement de blé acheté à Nathan Levy et non payé;

Que c'est la différence entre le prix de vente et la somme qui a dû être payée à Nathan Levy par Benayed, qui fait l'objet de la présente réclamation.

Que cependant, malgré l'expression dans le reçu susdit, que Benayed aurait à acheter le blé pour le compte du Gouvernement, le fait qu'il était fournisseur de blé au Gouvernement même, et le fait que, d'après la déclaration de Si Hamida Benayed, ce n'était pas chez Nathan Levy mais chez Moïse Levy et Cesare Guttieres que le reçu devait être mis en gage, laisse un doute très grave si vraiment Benayed, dans cette affaire particulière, était purement et simplement le mandataire du Gouvernement.

Qu'il est beaucoup plus probable qu'il s'engagea à fournir ces 1,000 caffis de blé au Gouvernement, et que celui-ci donna le theskéré pour lui en faciliter l'achat.

Que dans ce cas la créance de Benayed contre le Gouvernement serait pour le prix du blé et non pour l'indemnité qu'il réclame, et cette créance alors rentrerait dans la réclamation sixième, pour solde de céréales fournies.

Sur la sixième réclamation (Solde des Céréales fournies):—

Attendu que sous ce titre Benayed réclame—

1. La valeur de 3,346 caffis, 13 ouibas, et 7½ saas de blé—1,051,810 piastres;
2. Indemnité pour perte subie par la revente de blé acheté au Sieur Briffa, de Malte, 66,110 piastres;
3. Le prix de 47 caffis d'orge livrés à la Rabta, 5,100 piastres; soit un total de 1,123,020 piastres.

Qu'il est admis par le Gouvernement que le prix de 2,335 caffis, 1 ouiba, et 7½ saas de blé, livrés par Benayed pour la manutention militaire, n'est pas porté à son crédit dans le compte arrêté le 19 Rabia-el-Ewel, 1287;

Que Benayed a justifié en outre le versement de 1,005 caffis, 12 ouibas, 11½ saas, pour le service du Gouvernement, qui ne sont compris dans aucun de ses comptes;

Que le prix de ces deux quantités de blé doit être calculé à raison de 253 piastres par caffis, valeur moyenne du blé à cette époque;

Que de ce chef Benayed est créancier du Gouvernement pour la somme de 845,273 piastres;

Qu'une somme de 3,150 piastres lui est due pour frais du transformation en pain de 90 caffis, à raison de 35 piastres le caffis, selon le Décret du 14 Kaada, 1282;

Que Benayed est, en outre, créancier du Gouvernement pour une somme de 2,560 piastres pour fournitures de blé faites au Sieur Caillat;

En ce qui concerne le prix de revente Briffa;

Attendu qu'il n'a pas été justifié que cette opération eut lieu pour le compte du Gouvernement;

En ce qui concerne les réclamations pour livraison d'orge à Gara Mohamed et autre;

Attendu que les livraisons ont été faites antérieurement à la date du compte arrêté avec le Gouvernement le 1^{er} Djoumada-Ettani, 1292, et qu'il est expressément déclaré dans l'arrêté de ce compte, et non contesté, que Benayed n'aura plus rien à prétendre à l'avenir en ce qui concerne l'orge et son prix, et qu'en conséquence il n'y a plus lieu d'examiner si ces fournitures ont été réellement faites;

Sur la septième réclamation (Dîmes de Bizerte, 156,800 piastres):—

Attendu qu'il n'est pas contesté que par Décret du 17 Ramadan, 1284 (12 Janvier, 1868), Son Altesse le Bey accorda à Benayed le fermage des dîmes de Bizerte et de Porto Farina pour trois ans à partir de la récolte de 1868, au prix total de 2,023 caffis et 12 ouibas de blé, et 1,837 caffis, 7 ouibas, 10 saas d'orge, repartis en trois années à raison de 670 caffis, 2 ouibas, 6 saas de blé et 612 caffis, 3 ouibas, 3 saas d'orge par année;

Qu'il n'est non plus contesté que par Décret du 5 Octobre, 1869, l'impôt fut pour l'année suivante réduit de 5 à 3½ ouibas de blé et d'orge par mechia;

Qu'il a été allégué par le réclamant que sur les dokanias (fractions de mechias) la réduction avait été proportionnellement plus forte, mais que cette allégation, qui n'était appuyée d'aucune preuve, a été abandonnée;

Que, du reste, malgré l'omission dans ce Décret d'une mention spéciale des "dokanias" le Gouvernement ne conteste pas que la réduction de l'impôt était applicable aussi aux terrains de petite étendue, et que, par conséquent, l'impôt sur ceux-ci fut en 1870 payé au fermier au taux réduit;

Que sur la protestation de Benayed, dans son intérêt particulier, comme fermier, le Gouvernement, par lettre du Général Kéréddine, lui promit qu'il lui serait tenu compte de la réduction de la dîme;

Que l'opposition à la présente réclamation ne s'appuie que sur le fait allégué que le Gouvernement était immédiatement revenu sur sa décision, après avoir reconnu que l'augmentation des cultures, résultat de la mesure, indemnisaient suffisamment le fermier;

Que pour contester la valeur de l'arrangement pris par le Général Kéréddine, on a produit seulement une note, écrite sur une lettre de Benayed, indiquant dans quel sens il devait lui être répondu, et aucune preuve n'a été produite que cette réponse ait été adressée, et que, d'ailleurs, la promesse susmentionnée du 15 Avril, 1870, acceptée par Benayed, ne pourrait être annulée que d'un commun accord;

Que la circonstance rappelée par le Gouvernement, que, dans un projet de compte du fermage déposé récemment par Benayed au Ministère, il n'avait été nullement question de sa demande d'indemnité, n'est pas concluante, par cela même que la pièce n'était qu'un projet, et qu'une renonciation à une créance incontestable doit être constatée par des preuves claires et positives;

Qu'à l'égard du montant de la perte résultant de la réduction de l'impôt sur "mechias" aussi bien que sur "dokanias," le compte produit par Benayed l'évalue à 448 caffis, 4 ouibas, 11½ saas de blé, et à 448 caffis, 1 ouiba, 7 saas d'orge;

Mais attendu que d'après les registres mêmes produits par Benayed, cette perte ne s'élève qu'à 204 caffis, 6 ouibas, et 11 saas de blé, et 206 caffis, 2 ouibas, et 4 saas d'orge;

Que le taux moyen du prix des céréales en 1287, calculé d'après les mercuriales officielles, est pour le blé de 179.50 piastres par caffis, et pour l'orge, de 74.52 piastres; qu'en conséquence la perte dont il y a lieu de tenir compte à Benayed est de 36,696.32 piastres pour le blé, et de 15,364.42 piastres pour l'orge, soit au total 52,060.74 piastres.

Sur la huitième réclamation (Dar Sekkat):—

Attendu que l'occupation de l'Hôtel de la Monnaie ("Dar Sekkat") par le Gouvernement pendant le fermage accordé à Benayed par le Décret du 7 Safar, 1287 (9 Mai, 1870), n'a pas trait à la question dont il s'agit, le Général Benayed, ayant consenti à une transaction par laquelle le fermage lui fut renouvelé, comme il appert de la lettre que lui adressa Si Mustapha Khasnadar, Premier Ministre, le 18 Kaada, 1288 (29 Janvier, 1872);

Attendu que c'est à la rupture ou résolution de ce second fermage que la réclamation se rapporte;

Que par une lettre adressée à Si Mustapha Khasnadar, datée du 17 Djoumada, 1289 (16 Août, 1872), Benayed déclara qu'il avait pris ce second fermage pour le compte de ce dernier; qu'il s'était d'abord réservé un quart des bénéfices et qu'il fut ensuite convenu que le fermage resterait entièrement à Si Mustapha, sous l'obligation consentie par celui-ci de payer à Benayed 12,000 piastres par an.

Qu'après cette convention et conformément à sa teneur, Si Mustapha Khasnadar pouvait librement disposer du fermage, sans préjudice de son obligation personnelle, pour les 12,000 piastres susdites.

Que le Gouvernement a repris possession de l'Hôtel de la Monnaie comme créancier de Si Mustapha Khasnadar, et en vertu de la cession que celui-ci lui en a faite par l'acte du 8 Hodja, 1290, (26 Janvier, 1874), sans se charger de l'obligation de Si Mustapha envers Benayed, et que ce dernier, par conséquent, n'a aucune action contre le Gouvernement.

Que, quant à la somme de 46,274 piastres trouvée dans l'hôtel au moment où le Gouvernement en prit possession, elle représentait le solde des deux tiers des bénéfices alloués au fermier par le Décret du 6 Djoumada, 1288, et que par conséquent elle appartenait à Si Mustapha, le véritable fermier, et a été portée à son crédit dans son compte avec le Gouvernement.

Sur la neuvième réclamation (Dépenses du Palais):—

Attendu que la créance portée sous ce chef est relative à des fournitures faites au Palais de Son Altesse le dernier Bey et est justifiée par les pièces jointes au Mémoire de Benayed, Nos. 38, 39, 40, 41 et 42;

Que, quant aux fournitures constatées par les pièces Nos. 39, 40 et 41 qui remontent à l'année 1868, Benayed admettant que selon la lettre susdite de M. Waddington, elles ne pourraient en aucun cas être soumises à l'arbitrage, s'en est désisté;

Que pour les fournitures relatées dans la pièce No. 38 le Général Benayed, sur l'observation qui lui a été faite que le reçu à lui délivré pour constater sa créance est daté du 7 Octobre, 1869, qu'il avait donc entre les mains, antérieurement à 1870, un titre de créance qu'il aurait pu remettre à la Commission Financière, s'en est remis à la sagesse du Tribunal. Que les fournitures auxquelles se réfère la pièce No. 42, livrées en Novembre 1870, pouvaient, comme créances postérieures au 20 Février, 1870, être soumises à l'arbitrage, si elles constituaient des dettes pour lesquelles le Gouvernement fut responsable, mais qu'à cette époque, c'est-à-dire, après la création de la Commission Financière et le règlement de la Liste Civile du Bey, le Gouvernement cessa d'être responsable pour les dépenses du Palais de Son Altesse le Bey.

Sur la dixième réclamation (Reliquats de Comptes divers):—

Attendu que, d'après le Mémoire susdit, cette réclamation comprendrait neuf chefs, représentant une somme totale de 60,746.14 piastres, que Benayed, devant la Commission Arbitrale, a réduit le premier chef de 9,055.9 piastres à 6,055.9 piastres et a retiré la demande sur les troisième et neuvième chefs, soit 61.8 piastres et 6,232 piastres.

Que la somme de 1,303.6 piastres (Article 8) est représentée par trois theskérés de recettes Nos. 2, 10, et 127, et est comprise dans la somme de 451,104.87 piastres admise en compensation, ainsi qu'il est dit ci-après, en sorte que la somme totale demandée reste ainsi réduite à 50,150 piastres;

Que le Gouvernement ne conteste pas le montant de la créance, mais allègue que Benayed avait renoncé aux soldes des comptes "Akaras" et "Enchirs" du Beyliek, comme il appert du procès-verbal d'une Conférence tenue à La Marsa le 22 Rejeb, 1299. Que Benayed soutient que cette renonciation était faite sous la condition tacite que ses autres comptes seraient réglés sans délai, et que la condition ne s'étant pas accomplie, la renonciation reste comme non avenue.

Que cette appréciation des causes de la renonciation est fondée sur les circonstances dans lesquelles Benayed et le Gouvernement se trouvaient vis-à-vis de l'autre, considérant particulièrement que sans cela la renonciation serait dénuée de toute espèce de cause;

Attendu que le Gouvernement estime de plus qu'il convient de porter au crédit de Benayed le solde d'un compte, non encore réglé du fermage des dîmes de Bizerte, soit 5,189.61 piastres et une autre somme de 1,920 piastres payée à divers sur le fermage du fil d'argent et qu'en conséquence les soldes reconnus en faveur de Benayed s'élèvent à 57,259.64 piastres.

Attendu, d'autre part, que les soldes dus au Gouvernement par Benayed et reconnus par ce dernier s'élèvent à 60,975.39 piastres, suivant le détail ci-après:—

Désignation des Articles.	Crédit.	Débit.
	Piastres.	Piastres.
Debdeba	11,044.00	
De Montes (créances admises en compensation)	227,207.50	
	197,009.75	
Solde des céréales—		
Fournitures de blé	845,273	
Frais de fabrication de pain	3,150	
Fournitures Caillat	2,560	
(Créances admises en compensation.)		
Dîmes de Bizerte	52,060.74	
Reliquats de comptes divers	57,259.64	60,975.39
Contre-réclamation du Gouvernement—		
1. Non contestées par Benayed		2,012,657.07
2. Theskérés Nos. 145, 146, et 147		426,225.61
3. Theskéré No. 268		200,000.00
4. Theskérés Nos. 273 et 275		120,000.00
5. Theskérés Nos. 13, 57, 58, 133, 364, 376, 396, 613, 614, 841, et 842		188,237.50
6. Theskéré No. 786		20,000.00
Theskérés présentés par le Général Benayed (admis en compensation)	451,104.87	
	1,846,669.50	3,028,095.57
Solde en faveur du Gouvernement	1,181,426.07	

Par ces Motifs :

La Commission Arbitrale déclare,

Que les créances justifiées par le Général Si Hamida Benayed contre le Gouvernement sont éteintes par compensation avec une partie correspondante de sa dette.

Que le Gouvernement reste créancier du Général Benayed de la somme de 1,181,426.7 piastres.

Déclare en outre les parties mal fondées dans le surplus de leurs demandes, et les en déboute.

Dit que chacune des parties supportera les dépens faits par elle-même, et que les frais de l'arbitrage selon le compte que les arbitres remettront au Gouvernement seront payés par le Gouvernement même, qui aura le droit d'en réclamer la moitié au Général Benayed.

La présente sentence, en double original, sera déposée à la Résidence Française et à l'Agence et Consulat-Général de Sa Majesté Britannique, où les parties pourront en demander copie.

Fait en double expédition, à Tunis, le 5 Mai, 1884.

(Signé)

S. DE BLIGNIÈRES.
A. DINGLI.

No. 160.

Viscount Lyons to Earl Granville.—(Received May 29.)

(No. 311.)

My Lord,

Paris, May 28, 1884.

WITH reference to my despatches Nos. 301 and 302, both of the day before yesterday, I have the honour to inform your Lordship that M. Jules Ferry spoke to me this afternoon of the *note verbale* which I had addressed to him, respecting the calumnious statements respecting Sir J. Drummond Hay, represented in the "Gaulois" to have been made to his Excellency by M. Ordega.

M. Jules Ferry said that he wondered that so much importance should be attached to statements of the kind in a newspaper well-known to be in strong opposition to the Government, and to have no means of obtaining information from official sources.

He could, he said, assure me that no statements at all resembling those in the "Gaulois" had been made to him by M. Ordega. There was, he added, no foundation whatever for the assertion that M. Ordega had made such a report to him as the "Gaulois" mentioned. M. Ordega had most certainly never accused his colleagues at Tangier of the "turpitudes" which he was alleged by the "Gaulois" to have attributed to them. The tone of his language had been entirely different.

I said that these facts would render the treatment of the matter easy, and that I

trusted that a contradiction of the statements in the "Gaulois" would be made by his Excellency with the same publicity as that with which the calumnies themselves had been put forward.

I have, &c.
(Signed) LYONS.

No. 161.

Viscount Lyons to Earl Granville.—(Received May 29.)

(No. 312.)

My Lord,

Paris, May 28, 1884.

I ASKED M. Jules Ferry this afternoon what was the object of the visit to Paris of Cid Bargash, the Morocco Minister.

M. Jules Ferry answered that Cid Bargash had at first spoken to him of the demand of M. Ordega for the dismissal of a Governor, but as the Telegraph had almost immediately announced that the dismissal had taken place, there was no more to be said on that subject.

There was, M. Jules Ferry added, no foundation for the stories in the newspapers respecting the conclusion of a new Treaty between France and Morocco. France had no desire to change the *status quo*, and his instructions to M. Ordega were to pursue a strictly conservative policy.

I have, &c.
(Signed) LYONS.

No. 162.

Mr. Reade to Earl Granville.—(Received May 30, 4.30 P.M.)

(No. 18.)

(Telegraphic.)

Tunis, May 30, 1884, 11.21 A.M.

A BEYLICAL Decree has been promulgated authorizing the emission of Government securities for the conversion and repayment of the assets and debts.

No. 163.

Earl Granville to Viscount Lyons.

(No. 482.)

My Lord,

Foreign Office, May 30, 1884.

I HAVE to convey to your Excellency my approval of the *note verbale*, copy of which is inclosed in your despatch No. 301 of the 26th May, in which you have called M. Jules Ferry's attention to the calumnious statements respecting Sir J. D. Hay, Her Majesty's Minister in Morocco, which recently appeared in the "Gaulois" newspaper and were attributed to M. Ordega.

I am, &c.
(Signed) GRANVILLE.

No. 164.

Earl Granville to Sir J. Drummond Hay.

(No. 25.)

Sir,

Foreign Office, May 30, 1884.

I HAVE received your despatch No. 51 of the 17th instant, and I have to inform you that Her Majesty's Government approve the note which you addressed to the Vizir El-Mokhtar on the 16th instant in a reply to a communication from him asking for your opinion as to the conduct of the French Minister at Tangier.

I have to add that your action in the matter of the claim of Mr. Manuel Novella, the Clerk of Her Majesty's Consulate, for compensation for the robbery of his house in July 1880 is likewise approved.

I am, &c.
(Signed) GRANVILLE.

Viscount Lyons to Earl Granville.—(Received May 31.)

(No. 314.)

My Lord,

Paris, May 29, 1884.

WITH reference to my despatch No. 296 of the 24th instant, and to previous correspondence, I have the honour to inclose herewith to your Lordship, extracted from the "Journal Officiel" of this day, a Decree of the President of the French Republic guaranteeing a loan to be contracted by the Bey of Tunis; and a Decree of the Bey, authorizing the loan, stating the terms on which it is to be contracted, and laying down conditions on which the existing Tunisian stock is to be converted or paid off.

I have, &c.

(Signed) LYONS.

Inclosure in No. 165.

Extract from the "Journal Officiel" of May 29, 1884.

LE Président de la République Française,

Vu la Loi du 10 Avril, 1884;

Vu la Convention conclue avec Son Altesse le Bey de Tunis le 8 Juin, 1883, et notamment le paragraphe 1^{er} de l'Article II, ainsi conçu:—

"Le Gouvernement Français garantira, à l'époque et sous les conditions qui lui paraîtront les meilleures, un emprunt à émettre par Son Altesse le Bey, pour la conversion ou le remboursement de la Dette Consolidée, s'élevant à la somme de 125,000,000 fr., et de la dette flottante jusqu'à concurrence d'un maximum de 17,550,000 fr."

Décète :

Article 1^{er}. L'emprunt autorisé par le Décret de Son Altesse le Bey, en date du 27 Mai, 1884, et dont une copie authentique demeurera ci-annexée, est garanti par le Gouvernement de la République Française, conformément à l'Article II de la Convention du 8 Juin, 1883, approuvée par la Loi du 10 Avril, 1884.

Art. 2. Le Président du Conseil, Ministre des Affaires Étrangères, et le Ministre des Finances, sont chargés de l'exécution du présent Décret, qui sera inséré au "Journal Officiel" et publié au "Bulletin des Lois."

Fait à Paris, le 28 Mai, 1884.

(Signé) JULES GRÉVY.

Par le Président de la République :

Le Président du Conseil, Ministre des Affaires Étrangères,

(Signé) JULES FERRY.

Le Ministre des Finances,

(Signé) P. TIRARD.

Décret de Son Altesse le Bey de Tunis, du 27 Mai, 1884.

Article 1^{er}. La négociation d'un emprunt en rente 4 pour cent, dont le produit net ne pourra excéder la somme de 142,550,000 fr., est autorisée, dans le but d'assurer la conversion ou le remboursement de la Dette Consolidée et de la dette flottante, conformément à l'Article II de la Convention conclue avec le Gouvernement de la République Française, le 8 Juin, 1883.

Art. 2. Il est émis à cet effet une rente perpétuelle 4 pour cent de 6,307,520 fr., divisée en 315,376 obligations, au capital nominal de 500 fr., jouissance du 1^{er} Juillet, 1884, rapportant chacune un intérêt annuel de 20 fr., payable par semestre, à raison de 10 fr. par coupon, le 1^{er} Janvier et le 1^{er} Juillet de chaque année.

Les coupons seront payables :

En Tunisie, aux Caisses publiques désignées par le Gouvernement Beylical;

En France, aux Caisses des banquiers et établissements publics désignés par le Gouvernement Beylical, ou à la Caisse du Trésor Public Français dans le cas où le Gouvernement de la République Française consentirait, à quelque époque que ce soit, à effectuer le dit paiement pour le compte du Gouvernement Beylical.

Art. 3. Les obligations seront libellées en Arabe et en Français et porteront le sceau Beylical.

Elles seront affranchies de tout impôt, taxe, ou retenue de quelque nature que ce soit en Tunisie, tant dans le présent que dans l'avenir.

Les arrérages se prescriront par cinq ans, conformément aux Décrets du 9 Sfar, 1293 (8 Mars, 1876), et du 3 Djoumadi-el-Aouel, 1300 (12 Mars, 1883).

Art. 4. Les obligations 4 pour cent du présent emprunt sont réservées par préférence et au prix de 462 fr. par obligation aux porteurs d'obligations 5 pour cent de la Dette Générale du Gouvernement Tunisien et de coupons arriérés qui opteront pour la conversion de leurs titres dans les conditions ci-après:—

1. Les obligations 5 pour cent, jouissance du 1^{er} Juillet, 1884, et les fractions de coupons laissées aux mains des porteurs pour la portion restée impayée des coupons échus postérieurement à 1870 seront reçues en paiement pour leur valeur nominale;

2. Les bons de coupons arriérés délivrés lors des arrangements intervenus en 1870 seront reçus en paiement à raison de 84.24 pour cent de leur valeur nominale des dits bons, soit à raison de 168 fr. 48 c. pour chaque bon de 200 fr., à raison de 88 fr. 46 c. pour chaque bon de 105 fr., et à raison de 73 fr. 71 c. pour chaque bon de 87 fr. 50 c.

Le droit de préférence ainsi réservé aux porteurs des titres ou coupons ci-dessus désignés ne pourra être exercé que du 16 Juin, 1884, au 19 Juillet suivant au plus tard.

Art. 5. Les obligations 5 pour cent de la Dette Générale du Gouvernement Tunisien non converties seront remboursées le 1^{er} Octobre, 1884, au pair, soit à raison de 500 fr. par obligation; les porteurs auront droit, en outre, aux intérêts à 5 pour cent courus à la même époque depuis le 1^{er} Juillet, 1884, soit 6 fr. 25 c. par obligation.

Les fractions de coupons impayées postérieurement à 1870 non converties seront remboursées sans intérêt à la dite date du 1^{er} Octobre, 1884.

Les bons de coupons arriérés délivrés lors des arrangements intervenus en 1870 qui n'auront pas été présentés à la conversion dans les conditions stipulées à l'Article 4 ci-dessus demeureront sous le régime des dits arrangements.

Art. 6. Les opérations d'émission, de conversion, et de remboursement autorisées par le présent Décret auront lieu:—

En Tunisie, aux Caisses publiques désignées par le Gouvernement Beylical.

En France, aux Caisses des banquiers et établissements publics désignés par le Gouvernement Beylical.

Fait à La Marsa, le 27 Mai, 1884.

(Signé) ALI BEY.

No. 166.

Earl Granville to Sir J. Drummond Hay.

(No. 26.)

Sir,

Foreign Office, May 31, 1884.

WITH reference to your despatches Nos. 49 and 50 of the 17th instant, and to my telegram No. 4 of the 21st instant, on the subject of the calumnious statements respecting yourself which appeared in the "Gaulois," I transmit to you herewith, copy of a despatch which I have received from Her Majesty's Ambassador at Paris reporting a conversation with M. Ferry, in the course of which his Excellency denied that any such statements as those published in the "Gaulois" had been made to him by M. Ordega, and declared that the tone of that gentleman's language had been entirely different to that attributed to him.*

I am, &c.

(Signed) GRANVILLE.

No. 167.

Sir J. Drummond Hay to Earl Granville.—(Received June 2.)

(No. 54.)

My Lord,

Tangier, May 26, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 20 of the 9th instant, transmitting a copy of a letter from Sir Joseph Lee, inclosing extracts from a Report received from the Director of the West African Company at Cape

* No. 160.

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Juby, relative to certain proposals made to him by Sheikh Bairook, and directing me to offer my observations thereupon, and further to repeat the warning to the Sultan against committing or sanctioning any attack on British property at Cape Juby.

From the character of the propositions alleged to have been made by Abideen to the Manager of the West African Company, I am not inclined to believe that they have emanated from the Sultan. Abideen is a subject of His Shereefian Majesty, and it is not all probable that His Majesty would authorize him to enter into a Treaty, and thus acknowledge the independence of this Chief.

With regard to the statements made by various Moors to the Director, that the Sultan has instigated Abideen to take steps, by fair means or by force, to compel the Company to abandon their station at Cape Juby, I will not venture to give a decided opinion whether His Shereefian Majesty may have done so or not, though I do think it probable that His Majesty may have given orders that the tribes within his dominions should not trade with the factory at Cape Juby.

The Managing Director of the Company states that the French Government have made a claim of 1,000 fr. a-day on behalf of Count de Chavagnac, a French citizen, on account of his detention off the Reef coast, and for not being permitted to land, and on those grounds the Director considers that the Company is justified in putting forward a claim against the Sultan on account of the destruction by fire of a wooden house, as this alleged incendiary act can, as he maintains, be traced to orders given by His Shereefian Majesty. I have the honour to acquaint your Lordship that Hadj Mohammed Torres has informed me that he has not heard that any claim has been put forward by the French Government on account of Count de Chavagnac not having been permitted to proceed from Peñon on his projected journey to Reef for mining purposes.

In pursuance of your Lordship's instructions I have addressed a note to the Vizier, of which I have the honour to transmit a translation, repeating the warning given in 1882 to His Shereefian Majesty.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 167.

Sir J. Drummond Hay to the Vizier.

(Translation.)

(After usual compliments.)

Tangier, May 26, 1884.

ON the 16th September, 1882, Her Majesty's Consul, Mr. White, during my absence, addressed you a letter, in pursuance of instructions received from Her Majesty's Government, warning the Sultan and his Government against any aggressive acts towards the British subjects settled at Cape Juby, or encouraging in any way the neighbouring tribes to molest these British subjects, and thereby endanger the safety of their property. This warning was repeated by me in a letter of the 9th December of the same year.

It has come to the knowledge of Her Majesty's Government that Sheikh Abideen Weld Bairook, a brother of the late Sheikh Bairook, who had entered into a Treaty with the West African Company regarding their station at Cape Juby, presented himself at that site and expressed a desire to enter into a fresh engagement, and he proposed conditions which the Company did not consider acceptable. He offered, if his conditions were accepted, to take steps to increase the trade with the tribes, and to insure the safety of the lives and property of the British subjects dwelling at Cape Juby.

Sheikh Abideen declared, on the other hand, that if his terms were not accepted, he would take steps to compel the British subjects to abandon their factory.

Various Chiefs presented themselves to the Manager of the station, and declared that Abideen was acting under orders from the Sultan, and had been offered by His Shereefian Majesty a sum of money should he succeed, by harassing the British subjects, to induce them to abandon their factory at Cape Juby.

The Company have complained to Her Majesty's Government, stating that they have received the testimony of various persons that the past aggressive acts and present threats of Abideen have been instigated by the Sultan, and they therefore put forward a claim on His Shereefian Majesty on account of the destruction by fire of their wooden house in 1880, and they hold His Majesty responsible for any further loss which may be occasioned to them.

Under these circumstances, I am directed by Her Majesty's Government to repeat the warnings already given two years ago, and to point out that a very serious question

might arise if Abideen, who is a subject of His Shereefian Majesty, or other persons at the instigation, or even suggestion, of His Shereefian Majesty, or of his authorities, should occasion by their acts any loss of life or property to British subjects.

I take this opportunity of repeating that it is much to be regretted that the Sultan has not up to the present time carried into execution his repeatedly declared intention of opening a port in Soos, where the inhabitants would find an exit for their produce and facilities for purchasing European manufactures. So long as this is not done, troublesome questions are sure to arise.

(Signed) J. H. DRUMMOND HAY.

No. 168.

Lord Amthill to Earl Granville.—(Received June 2.)

(No. 140. Confidential.)

My Lord,

Berlin, May 30, 1884.

MR. DE BUNSEN, in his despatch No. 55, Confidential, of the 8th instant, inclosed in your Lordship's despatch to me No. 143, Confidential, of the 22nd instant, upon the subject of French policy in Morocco, reports that the Minister of State assured him that "he had the authority of Prince Bismarck himself" in saying that Germany would view the proposed policy (of Spain in Morocco) with great satisfaction.

Count Hatzfeldt, in conversation with me, has never admitted as much, and has generally asserted that Germany did not wish to interfere or commit herself at present in regard to Morocco.

Those among my colleagues who have alluded to the subject in conversation with his Excellency share my impression, and I therefore conclude that Prince Bismarck's instructions to the German Minister at Madrid are not to be communicated to the Powers for the time being.

I have, &c.
(Signed) AMPHILL.

No. 169.

Earl Granville to Mr. Reade.

(No. 11.)

(Telegraphic.)

Foreign Office, June 2, 1884, 3.30 P.M.

YOUR telegram No. 18 respecting conversion of Tunisian Debt.

Ask the British Representatives on the Financial Commission to furnish a Report on the subject.

No. 170.

Earl Granville to Mr. Reade.

(No. 22. Ext. 11.)

Sir,

Foreign Office, June 3, 1884.

I HAVE received your telegram No. 18 of the 30th ultimo, and I have to instruct you to ask the British Representatives on the Tunisian Financial Commission to furnish a Report upon the proposed conversion of the Tunisian Debt.

I am, &c.
(Signed) GRANVILLE.

No. 171.

Earl Granville to Mr. Reade.

(No. 23.)

Sir,

Foreign Office, June 3, 1884.

I TRANSMIT herewith, for your information, copy of a despatch, as marked in the margin,* on the subject of General Benayed's claim.

I am, &c.
(Signed) GRANVILLE.

* No. 158.

Mr. Reade to Earl Granville.—(Received June 4.)

(No. 24.)

My Lord,

Tunis, May 31, 1884.

WITH reference to my telegram No. 18 of yesterday, reporting the promulgation of a Beylical Decree authorizing the emission of Government securities for conversion and reimbursement of the Tunisian Debt, I have the honour to transmit herewith a copy of the Tunisian official journal of the 29th instant, in which that Decree appears.

I have, &c.

(Signed) THOS. F. READE.

Inclosure in No. 172.

Extract from the "Journal Officiel Tunisien" of May 29, 1884.

[This consists of the Bey's Decree of May 27, 1884, which will be found in Inclosure in No. 165.]

No. 173.

*Earl Granville to Sir S. Lumley.**

(No. 124.)

Sir,

Foreign Office, June 4, 1884.

I TRANSMIT herewith, for your information, copy of a despatch as marked in the margin,† on the subject of the visit to Paris of Cid Bargash, the Morocco Minister.

I am, &c.

(Signed) GRANVILLE.

No. 174.

Earl Granville to Sir J. Drummond Hay.‡

(No. 29. Confidential.)

Sir,

Foreign Office, June 5, 1884.

I TRANSMIT to you herewith, for your information, copies of despatches, as marked in the margin, relative to France and Morocco.§

I am, &c.

(Signed) GRANVILLE.

No. 175.

Mr. Lister to Sir J. Lee.

Sir,

Foreign Office, June 5, 1884.

WITH reference to Sir J. Pauncefote's letter of the 9th ultimo, I am directed by Earl Granville to transmit to you herewith an extract from a despatch from Her Majesty's Minister in Morocco, having reference to the complaints made in a Report recently received from the Director of the North-west African Company at Cape Juby.||

I am, &c.

(Signed) T. V. LISTER.

* Also to Sir A. Paget (No. 89); Lord Ampthill (No. 156); Sir E. Thornton (No. 160); the Earl of Dufferin (No. 181); Mr. de Bunsen (No. 72); and Sir J. Drummond Hay (No. 28).

† No. 161.

‡ Also to Mr. de Bunsen (No. 75).

§ Nos. 151 and 156.

|| No. 167.

Sir J. Drummond Hay to Earl Granville.—(Received June 6.)

(No. 55.)

My Lord,

Tangier, May 28, 1884.

I HAVE the honour to transmit the translation of a letter addressed to me by the Vizier conveying the Sultan's thanks for the information I had transmitted to the Court regarding the assurances given to Her Majesty's Government by the French Government, that they desire to maintain friendly relations with the Sultan, and have no intention of creating disturbances in His Majesty's dominions.

The proceedings of M. Ordega and of M. Montfraix, who was left in charge of the French Legation, have been so totally at variance with these assurances, that the Sultan was led to suppose that a rupture of relations and war were imminent. Orders were sent to the different Bashas and Chiefs of all the tribes to dispatch large bodies of cavalry and infantry to Meknez. British Consular officers confirm these tidings. The Shereef of Wazan continues to extend protection to villages in Anjera, and to encourage a spirit of insurrection in that district against the Sultan's authority.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 176.

The Vizier to Sir J. Drummond Hay.

(Translation.)

(After compliments.)

Meknez, May 22, 1884.

WE have received your letter replying to the query we had put, whether the acts of the French Minister proceeded from orders received from his Government, or emanated from himself only. You acquaint us that you had been informed by your Government that the French Government have no intention of altering their relations with the Government of Morocco, and that they do not desire to create disturbances in these dominions, and you inform us that these assurances are repeated in French journals, and that they state that the French Minister had declared that he is in friendly relations with His Shereefian Majesty and with his Minister, Cid Mohammed Bargash, and that he had gone to Paris to negotiate a Treaty.

You also make known to us that the Minister, Cid Mohammed Bargash, had arrived at Paris, and you request us to inform you whether he has received orders from His Shereefian Majesty to negotiate a Treaty, or to enter into any stipulations with the French Government.

You further inform us that you had forwarded to the British and Austrian Governments copies of the Memoranda and letters as mentioned by you, and that the three other Ministers had also forwarded copies to their respective Governments, but that you had not yet received any reply, nor had they.

We communicated to His Shereefian Majesty your letter, and he has had under his consideration all you have stated; His Majesty learnt with much pleasure that which your Government had communicated to you, and it tranquillized His Majesty's mind, and he invoked God's blessing on you, and ordered me to request you always to send tidings, whether good or evil, for His Shereefian Majesty has greater confidence in the information you may afford him than in that which he may receive from others, for you are the trusted and well-beloved Minister of a friendly Government, moreover, you take a friendly interest in affairs which affect His Shereefian Majesty. Friends like you are known by their acts of good-will and trustiness.

His Shereefian Majesty had never informed the (French) Minister that he would enter into any stipulation at the present time, and no communication has passed between him (the French Minister) and His Shereefian Majesty on such a subject, nor has His Majesty authorized Cid Mohammed Bargash to treat thereupon, but he sent to the latter the Memorandum of proceedings (of French Minister) through Hadj Mohammed Torres, and if Cid Mohammed Bargash has of his own accord spoken on such a subject (Treaty), we have no knowledge of it, but there is no intention on our part to entertain such a project.

With regard to you and the other Ministers having transmitted to your respective Governments copies of the Memorandum and letters as above mentioned, as was the

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desire of His Shereefian Majesty, you and they are thanked for having done so. May you attain all the welfare you can wish for.

Finished.

(Signed) MOHAMMED BEN EL ARBY BEN EL MOKHTAR.

No. 177.

Sir J. Drummond Hay to Earl Granville.—(Received June 9.)

(No. 56.)

My Lord,

Tangier, June 2, 1884.

M. ORDEGA arrived at Tangier on the 31st ultimo on board the French iron-clad "Redoutable."

Before he landed the town batteries saluted the French flag with twenty-one guns, which were returned by the "Redoutable." The Acting Minister for Foreign Affairs, the Basha of Tangier, and a guard of honour, received the French Minister on landing. The Shereef of Wazan was also on the pier, accompanied by about fifty of his followers.

I understand that Hadj Mohammed Torres received a letter from Cid Mohammed Bargash, who is still at Paris, directing that the batteries should be the first to salute the French flag, and that he and all the authorities should go down to the landing place to receive the French Minister.

It is reported that the "Redoutable" will remain in these waters until the arrival of a French squadron, which is expected here about the 18th of this month.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

No. 178.

Sir J. Lumley to Earl Granville.—(Received June 10.)

(No. 96.)

My Lord,

Rome, June 4, 1884.

I HAVE the honour to inclose a Report of a discussion which took place on the 30th ultimo in the Chamber of Deputies on the Bill relating to the Consular Jurisdiction in Tunis.

M. Mancini, in defending the action of the Italian Government in this question, said it was desirable that nothing should occur to trouble the work of conciliation inaugurated by the present Cabinet towards France.

The Convention would have the effect of avoiding continual conflicts and controversies; it had received the approval of impartial and disinterested Powers, and Italy ought also to rejoice at it; he remarked that the formula of the suspension of Consular jurisdiction adopted in the Convention prejudged no preceding political questions, and that it must be considered as stable so long as the actual state of affairs exists in Tunis.

Italy has not agreed to the abolition of the Capitulations, the source of a series of laws and guarantees, but only to the suspension of Consular jurisdiction, which is a part of those Capitulations.

The maintenance of the other immunities has been distinctly reserved, and it has been agreed upon besides that every concession made to another Power shall be extended to Italy.

In conclusion, M. Mancini said he thought he had shown that the Convention ensured independent and enlightened justice in the Regency, while at the same time it protected the interests of Italy.

I have, &c.

(Signed) J. SAVILE LUMLEY.

No. 179.

*Earl Granville to Viscount Lyons.**

(No. 514.)

My Lord,

Foreign Office, June 11, 1884.

WITH reference to my despatch No. 458 of the 22nd ultimo, I transmit herewith, for your Excellency's confidential information, copy of a despatch from Her Majesty's

* Also to Sir A. Paget (No. 93); Sir S. Lumley (No. 133); Sir J. Drummond Hay (No. 30); Mr. de Bunsen (No. 76); Sir E. Thornton (No. 167); and the Earl of Dufferin (No. 186, Confidential).

Ambassador at Berlin, with reference to the attitude of Germany in regard to affairs in Morocco.*

I am, &c.

(Signed) GRANVILLE.

No. 180.

Viscount Lyons to Earl Granville.—(Received June 12.)

(No. 342.)

My Lord,

Paris, June 11, 1884.

WITH reference to your Lordship's despatch No. 482 of the 30th ultimo, and to previous correspondence, I have the honour to inclose a copy of a note which has been addressed to me by M. Jules Ferry, in answer to the remonstrances which I made by your Lordship's order against the calumnious statements respecting Her Majesty's Minister in Morocco, which the "Gaulois" alleged to have been made to M. Jules Ferry himself by M. Ordega.

The note recites a communication which M. Ordega appears to have telegraphed to M. Jules Ferry for insertion in the "Gaulois." It states that M. Jules Ferry does not doubt that M. Ordega has given every proper explanation to his colleagues at Tangier, and it adds that the only effect of publishing M. Ordega's communication now would be to revive a painful controversy, and that for this reason M. Jules Ferry has not sent it to the "Gaulois," but hopes that his present note will suffice to bring the affair to an end ("clôre l'incident").

I have, &c.

(Signed) LYONS.

Inclosure in No. 180.

Note Verbale.

LE Ministre des Affaires Étrangères aussitôt après avoir reçu la note verbale que son Excellence l'Ambassadeur l'Angleterre lui a fait l'honneur de lui adresser à la date du 26 Mai dernier, a communiqué la teneur de ce document au Ministre de France à Tanger, en l'invitant à fournir des explications au sujet des allégations contenues dans le journal "Le Gaulois" du 8 Mai.

Dès que M. Ordega, à son arrivée à Tanger, a su que l'on avait pu ajouter quelque créance à ces assertions, il a transmis, par le télégraphe, au Département des Affaires Étrangères, le démenti suivant destiné à être inséré dans le journal qui l'avait mis en cause :—

"Pour le 'Gaulois'."

"On me signale, à mon retour au Maroc, deux articles du 'Gaulois' des 8 et 10 Mai, contenant un exposé de déclarations que j'aurais faites à M. le Ministre des Affaires Étrangères sur la question du Maroc et sur le Corps Diplomatique à Tanger.

"Je tiens à faire savoir que je n'ai pas tenu le langage qui m'est attribué dans ces deux articles. Des motifs de convenance et de discrétion professionnelle s'opposaient, d'ailleurs, à ce que je divulguasse les entretiens que j'avais pu avoir avec le Ministre.

"Je vous prie d'insérer cette dépêche dans votre plus prochain numéro.

(Signé) "ORDEGA."

Je ne doute pas que le Ministre de France au Maroc n'ait déjà exprimé à ses collègues à Tanger sa surprise et son regret pour les propos qu'on lui prêtait, et ne leur ait donné toutes les explications désirables. Aujourd'hui il semble que la publication du télégramme de M. Ordega n'aurait d'autre résultat que de réveiller une fâcheuse polémique qui est heureusement apaisée. C'est pour ce motif que M. Ferry n'a pas cru devoir l'envoyer au "Gaulois," estimant que la présente communication suffisait à clore l'incident. Il espère que Lord Lyons voudra bien se ranger à sa manière de voir.

Paris, le 10 Juin, 1884.

Question asked in the House of Commons, June 13, 1884.

Dr. Cameron.—To ask the Under-Secretary of State for Foreign Affairs whether any despatches have been received from the British Minister in Morocco respecting the protection granted by France to the Grand Shereef of Wazan, and its bearing on the relations between Morocco and the other Power parties to the Treaty of Madrid;

And whether he proposes to submit any papers on the subject to Parliament.

Answer.

Her Majesty's Government do not consider it advisable to present any papers at present; but I may inform my honourable friend that the assurances received from the French Government that they have no designs upon Morocco, and repudiate all idea of establishing a Protectorate, or of promoting troubles in the country, have been communicated to Her Majesty's Minister at Tangier, and through him to the Moorish Government.

Sir J. Drummond Hay to Earl Granville.—(Received June 14.)

(No. 57.)

My Lord,

Tangier, June 7, 1884.

I HAVE the honour to transmit herewith a paragraph inserted in the "Réveil du Maroc" of the 4th instant. This journal, as I have mentioned to your Lordship in past despatches, is alleged to be under the control of M. Ordega, and many of the articles are said to be written, or at any rate inspired, by him; I therefore attach some importance to the information which it imparts to the public, and to the observations of the editor in the leading articles.

The "Réveil" announces the expected arrival of a French squadron, and that a deputation composed of the Chiefs of several tribes have arrived to congratulate M. Ordega on his return, and to solicit his protection, and further that the Moorish population in general, dissatisfied with the administration of the Sultan's Governors, are rallying around the Shereef of Wazan, "et il se produit dans tout le Maroc un mouvement qui pourrait amener une situation inattendue."

Her Majesty's Government have no doubt good grounds for confiding in the assurances given by the French Government of their desire to maintain friendly relations with the Government of Morocco, and, indeed, it may be that M. Ferry is perfectly sincere; but it is evident, on the other hand, from the conduct of the Shereef of Wazan and his sons that M. Ordega has been actively engaged in seeking to produce such a state of affairs as may ultimately bring about a rebellion and the downfall of the Sultan, and that the French Government will then be compelled to reverse their pacific policy and to march an army across the frontier to put down the state of anarchy which will ensue. Then the conquest of Morocco will necessarily follow.

The return of M. Ordega in an iron-clad, the demand that the French flag be saluted before he landed, notwithstanding the declaration that there had been no rupture of relations, but that, on the contrary, they were very cordial, the permanence of the iron-clad in this bay, and the expected arrival of a French squadron, lead to the belief that the French Government approve of the acts of M. Ordega, and are prepared to continue to resort to a policy of intimidation in supporting the demands which, it is to be expected, may shortly be put forward for the rectification of the Algerian frontier and consequent annexation of large tracts of country hitherto acknowledged to form part of the Sultan's dominions.

I have not been able to discover who are the Chiefs of tribes reported in the "Réveil" to have arrived at Tangier, they may, however, be residing incognito at the dwelling of the Shereef Hadj Abdesselam, and be represented as some of his numerous protected dependents. I think it is very probable that, through the intrigues, or at the instigation of the Shereef, such a deputation have presented, or will present, themselves to M. Ordega. It is even whispered by persons connected with the French Legation that M. Ordega has asked by telegraph for instructions from Paris what course he is to

pursue in this "situation inattendue." If this be true, all will depend upon the nature of the secret instructions M. Ordega may receive.

I have received no later communication from the Moorish Court than that I transmitted to your Lordship in my despatch No. 55 of the 28th ultimo, but I am told that the Sultan is very despondent on account of his not having received any reply to the appeals he made to the British and other Governments regarding the irregular protection afforded by M. Ordega to the Shereef of Wazan, his sons, and host of dependents. His Shereefian Majesty will probably have to yield to any demands M. Ordega may now put forward, and, finding himself abandoned to his fate, His Majesty may possibly accept, or even seek for, a French Protectorate.

A leading article in the "Times" of the 14th ultimo states that Great Britain has no "commanding interest" in Morocco. The writer approves of the proceedings of M. Ordega in protecting the Shereef of Wazan, and concludes the article by stating that he considers the action of France in Morocco will be for the benefit of civilization.

This article was published in the local Tangier journals, and translations were, as I understand, transmitted to the Court. The Sultan and his Ministers, and those Moors who take an interest in politics, have been led to suppose that the "Times" expresses on this occasion the views of Her Majesty's Government and the feelings of the British public, and they conclude, therefore, that Her Majesty's Government will even encourage the French Government, if it entertains ambitious projects regarding the annexation of Morocco, to carry them into execution.

The editor of the "Réveil" remarks:—

"Le 'Times,' qui passe pour refléter la pensée du Gouvernement Anglais, déclare résolument que l'action de la France au Maroc tend à l'avantage de la civilisation, de la liberté, et de la justice, et reconnaît que la conduite du Ministre de France n'a jamais cessé d'être correcte. Ces déclarations de la part de l'organe de la City en faveur d'une politique diamétralement opposée à celle suivie par le Gouvernement Anglais est un aveu tacite des erreurs de la Grande-Bretagne."

These remarks are no doubt written or inspired by M. Ordega, and are published throughout Morocco.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 182.

Extract from "Le Réveil du Maroc" of June 4, 1884.

LA présence du cuirassé Français "Le Redoutable," et l'annonce de la prochaine arrivée de l'escadre de la Méditerranée, produisent ici le meilleur effet. On commente beaucoup les démonstrations de sympathie dont M. Ordega est l'objet depuis sa rentrée, de la part de la population Arabe, démonstrations dont la signification politique semble d'autant plus importante, que le Ministre de France aurait reçu plusieurs députations composées des Chefs de plusieurs tribus de l'intérieur, qui l'ont complimenté et sollicité sa protection. Nous ne sommes pas à même de nous prononcer dès à présent d'une manière définitive sur la véritable portée de ces faits; on peut néanmoins affirmer que les sympathies des Musulmans pour la France s'accroissent de plus en plus; les populations, mécontentes de l'administration de leurs Gouverneurs, se rallient autour du Chérif d'Ouazan, et il se produit dans tout le Maroc un mouvement qui pourrait amener une situation inattendue.

Sir J. Drummond Hay to Earl Granville.—(Received June 14.)

(No. 58.)

My Lord,

Tangier, June 8, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 26 of the 31st ultimo, transmitting copy of a despatch addressed to your Lordship by Her Majesty's Ambassador at Paris, reporting a conversation with M. Ferry, in which the latter denied that any such statements as those published in the "Gaulois" had been made to him by M. Ordega.

Though I, as well as several of my colleagues at Tangier, am perfectly convinced that the editor of the "Gaulois" derived his information, either directly or indirectly

from M. Ordega, for his language and style are recognized, the denial by M. Ferry that such language had ever been held to him is, of course, to be accepted, but I trust that, as Lord Lyons has observed to M. Ferry, a contradiction of the statement will be made by his Excellency with the same publicity as that with which the calumnies had been put forward.*

I am especially desirous that such a satisfaction should be afforded me, as I have read an article in the "Journal des Débats" of the 26th May, signed Gabriel Charmes, published shortly after the visit of M. Ordega to Paris, in which I again recognize his malignant language regarding myself.†

This article contains mendacious statements and aspersions on my character, and as the "Journal des Débats" is a serious paper which has a wide circulation, not only in France, but in England and the rest of Europe, I think it my duty to submit to your Lordship some observations on the statements it contains. I inclose the "Réveil du Maroc" of the 4th instant, reproducing the article in question.

M. Charmes states that "Sir J. Hay, à force de vivre au milieu des Marocains, dont il s'est assimilé toutes les manières de penser, de parler, et d'agir, a fini par regarder la cause de sa famille, et de sa clientèle, comme celle de l'Angleterre elle-même."

No member of my family, nor even relative, resides in Morocco. My son-in-law, Mr. Brooks, visits Tangier in the winter to hunt, but he has an independent fortune, is not in business, and is in no way connected with any mercantile or agricultural speculations in Morocco.

As to my "clientèle," I conclude M. Charmes refers to the native Interpreters, or Arabic Secretaries; they are all poor men depending for their livelihood upon their salaries, and not like the native Interpreter of the French Legation who, though he had no fortune twenty years ago, is now very wealthy.

M. Charmes says that my "seule préoccupation est de fermer le Maroc aux Européens, et de n'y laisser pénétrer qu'un petit nombre de ses compatriotes, qui s'empareraient peu à peu de toutes les ressources du pays."

This statement is entirely false. I have never opposed the advent of my countrymen nor discouraged British enterprise; but I admit that I have refused to support the pretensions of such British subjects as have put forward requests that I should grant protection to Moorish subjects, who may be disposed to present them with a portion of their lands and cattle, with the view of enabling the givers to avoid taxation, military service, &c., and that Her Majesty's Legation should undertake to recover the claims these Moors may present.

Such malpractices, it is alleged, exist at some of the foreign Missions and Consulates, and British subjects have based their pretensions upon the right of being placed upon the same footing as the subjects of other countries. Like requests I have refused to entertain as being repugnant to my feelings.

The "Débats" declares that from my long residence in this country I have become Moorish in my feelings and acts, and it is repeatedly asserted in the organs made use of by M. Ordega to malign me that I am opposed to the introduction of reforms or improvements in Morocco.

Her Majesty's Government have innumerable proofs in the archives of the Foreign Office how I have unceasingly laboured to introduce reforms and improvements, and to remove restrictions upon trade, and how I have even attempted to induce the late and present Sultan to alter the deplorable system of government which exists, and is the chief cause of the degraded state of this unfortunate country. My efforts have not been seconded by British squadrons, nor backed by a policy of intimidation, which, unfortunately, appears to be the sole persuasive argument in dealing with Mohammedan rulers, and therefore I have not had that success which I could have desired, but it is a satisfaction for me to know that all the concessions which have been obtained for commerce during the last forty years, such as the abolition of monopolies and of favouritism, the removal of the prohibition on the exportation of grain, wool, &c., the reduction of import duties from 30 and 40 to 10 per cent., the slight improvements at some of the ports, the building of bridges, &c., near Tangier, were obtained solely by me, whilst I know not of one single concession to commerce in general obtained by the French Representatives.

The statement made in the "Réveil," that French commerce has increased "de près du cent pour cent" since M. Ordega's arrival, is not borne out by statistics, though

* The Italian Minister, M. Scovasso, has received from his Government an assurance that a "dément formel" will be published by the French Government.—J. H. D. H.

† M. Ordega, having been connected with the press, is no doubt well acquainted with M. Charmes and the Editor of the "Gaulois," &c.—J. H. D. H.

the subventions granted to the Steam-Ship Companies, who have of late established extra lines between France, Algeria, and Morocco, have given greater activity to their trade, and an increase in the tonnage of French vessels touching at Moorish ports. British trade still maintains its supremacy, exceeding 50 per cent. that of all other nations combined.

Your Lordship will, I trust, pardon my encroaching on your Lordship's valuable time with such a long despatch upon a subject which affects me personally rather than being a matter of public interest, but when a serious paper like the "Débats" publishes such defamatory statements, I have taken it to heart, and could not allow them to pass unnoticed. During the forty-four years I have served Her Majesty's Government my conduct has been invariably approved, and for the short period which remains for me to serve, I hope to continue to enjoy their confidence and approval.

In conclusion I beg to add that it would be a great satisfaction to me if your Lordship were pleased to authorize Her Majesty's Ambassador at Paris to take an opportunity of removing any erroneous impressions which may possibly have been left on the mind of M. Ferry by M. Ordega or the articles in the French papers regarding my conduct and character; and of informing his Excellency that far from being an opponent of French policy in Morocco, so long as it is not of an aggressive character, I have unceasingly counselled this Government to meet the demands and wishes of the French Government, and to avoid giving just grounds for dissension. My former colleague, the late French Ambassador in London, M. Tissot, with whom I was on the most intimate terms, would, I am persuaded, confirm to M. Ferry all I have stated regarding the friendly feelings I entertained towards the French Government and nation.

It will also be a source of satisfaction to me to learn that at such a moment M. Ferry has been told that my conduct continues to meet with your Lordship's approval.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 184.

Viscount Lyons to Earl Granville.—(Received June 14.)

(No. 346.)

My Lord,

Paris, June 13, 1884.

IN his despatch No. 57 of the 7th instant, which I forward to your Lordship to-day, Sir John Drummond Hay incloses a paragraph from the "Réveil du Maroc" of the 4th instant, relative to the return of M. Ordega on board a French iron-clad, the "Redoutable," to the announcement of an early visit to Tangier of the French Mediterranean squadron, to the alleged arrival there of deputations from several tribes to solicit M. Ordega's protection, and to the supposed rallying of the Moorish population round the Shereef of Wazan.

This same paragraph in the "Réveil du Maroc" forms the subject of an article by M. Gabriel Charmes which has appeared in the "Journal des Débats" this morning, and which I send herewith to your Lordship for what it may be worth.

The article gives its own explanation of the return of M. Ordega on board an iron-clad, of the forts having saluted the iron-clad, contrary to custom, before she saluted them, and of the approaching visit of the French squadron.

Then, after expressing general sympathy with the "Réveil du Maroc," it recites the paragraph which Sir J. Drummond Hay has inclosed to your Lordship, and goes on as follows:—

"Nous ne saurions trop protester contre l'esprit qui a dicté cette note. Il est certainement contraire au sentiment personnel de M. Ordega, et il est en opposition flagrante avec la pensée dont s'inspire la politique Française au Maroc. . . . La France tient par-dessus tout à ce qu'une révolution ne vienne pas troubler les progrès de sa politique pacifique et civilisatrice dans ces contrées voisines de sa grande Colonie Africaine. . . . Nous sommes certains que notre Ministre à Tanger profitera de la grande influence qu'il s'est acquise dans le pays pour comprimer autant que possible de dangereux ferments d'insurrection. . . . La France ne sera jamais au Maroc l'alliée de la révolte contre le Sultan."

Sir J. Drummond Hay's despatch No. 58 of the 8th instant (which also I have the honour to forward to your Lordship to-day) relates principally to a previous article by the same writer, published in the "Journal des Débats" of the 26th ultimo. This article

was sent by me to your Lordship in my despatch No. 303 on the day on which it appeared.

I have, &c.
(Signed) LYONS.

Inclosure in No. 184.

Extract from the "Journal des Débats" of June 13, 1884.

CERTAINS journaux étrangers s'obstinent à déclarer qu'il y a une question du Maroc, et que la France se prépare à provoquer dans ce pays de graves événements qui y rendraient son intervention nécessaire. Nous ne saurions trop protester contre de pareilles nouvelles. Nous avons exposé quelle était réellement la politique Française au Maroc, politique de paix, de droit commun, et de civilisation, nullement hostile à l'autorité du Sultan, que nous avons plus d'intérêt que personne à ne pas ébranler. On a grand tort de voir dans les circonstances qui ont accompagné le retour de M. Ordega à Tanger des essais d'intimidation contre un Souverain dont nous ne recherchons que l'alliance et l'amitié; si notre Ministre est arrivé au Maroc sur un des plus beaux cuirassés de notre escadre, le "Redoutable," c'est en vertu d'une coutume très répandue en Orient où les Agents Consulaires et Diplomatiques se rendent presque toujours à leurs postes sur des vaisseaux de guerre. Jusqu'ici M. Ordega n'avait pas suivi cette coutume, ce qui avait permis à ses adversaires de persuader aux Marocains que la flotte Française était anéantie, et qu'ils pouvaient tout oser contre un pays désormais sans forces sur les mers. L'apparition du "Redoutable" à Tanger a dissipé ces mensonges; mais il n'y a là ni une provocation ni simplement une menace. Les forts Marocains ont salué les premiers le navire qui portait M. Ordega, fait tout à fait exceptionnel, qui prouve, de la part des autorités locales, une bonne volonté à l'égard de la France que nous devons certainement accueillir avec bienveillance.

Quant à la prochaine arrivée de notre escadre à Tanger, ce n'est point, comme on cherche à le faire croire, une manifestation combinée d'avance pour produire au Maroc un grand effet politique. Il y a plusieurs mois que, dans le voyage d'été que doit accomplir notre escadre sur les côtes de l'Océan, il a été décidé qu'elle passerait par Tanger en quittant la Méditerranée. Si elle avait modifié son itinéraire, cet acte de faiblesse aurait été interprété par nos adversaires comme une reculade; on aurait dit à Tanger et à Fez que nous n'osions pas faire défiler notre escadre le long de ces côtes du Maroc où l'escadre Italienne a fait récemment des démonstrations éclatantes et où l'on voit sans cesse passer des vaisseaux de guerre Anglais. Voilà pourquoi rien n'a été changé à des plans arrêtés depuis longtemps. Mais notre escadre ne se présentera pas à Tanger pour y faire de l'intimidation; elle s'y présentera comme elle se présente partout, pour montrer que la France est toujours forte bien qu'elle soit absolument résolue à ne pas faire usage de sa force contre des voisins avec lesquels elle tient à vivre en bonne amitié.

Il est très essentiel qu'on connaisse la vérité, soit en Europe, soit au Maroc, sur des incidents dénaturés à dessein dans une partie de la presse Européenne et même Marocaine. Nous lisons dans une petite feuille publiée à Tanger, et qui nous inspire d'ailleurs beaucoup de sympathie, le "Réveil du Maroc," des articles qui pourraient égarer l'opinion publique. Le "Réveil du Maroc" est un journal plein de bonnes intentions; mais emporté par l'ardeur des luttes locales qui est si vive dans les pays Musulmans, il écrit, par exemple, ceci:—

"La présence du cuirassé Français le "Redoutable," et l'annonce de la prochaine arrivée de l'escadre de la Méditerranée produisent ici le meilleur effet. On commente beaucoup les démonstrations de sympathie dont M. Ordega est l'objet depuis sa rentrée de la part de la population Arabe, démonstrations dont la signification politique semble d'autant plus importante, que le Ministre de France aurait reçu plusieurs députations composées des Chefs de plusieurs tribus de l'intérieur, qui l'ont complimenté et sollicité sa protection. Nous ne sommes pas à même de nous prononcer dès à présent, d'une manière définitive, sur la véritable portée de ces faits; on peut néanmoins affirmer que les sympathies des Musulmans pour la France s'accroissent de plus en plus; les populations, mécontentes de l'administration de leurs Gouverneurs, se rallient autour du Chérif d'Ouazan, et il se produit dans tout le Maroc un mouvement qui pourrait amener une situation imprévue."

Nous ne saurions trop protester contre l'esprit qui a dicté cette note. Il est certainement contraire au sentiment personnel de M. Ordega, et il est en opposition flagrante avec la pensée dont s'inspire la politique Française au Maroc. Nous sommes convaincu que notre Ministre a su faire comprendre, aux Chefs de tribus qui venaient lui demander sa

protection, qu'il nous était impossible de les arracher au Gouvernement et à l'Administration de leur Souverain légitime, et que, si nous avions accordé notre Protectorat au Chérif d'Ouazan, ce n'était point pour en faire un chef de parti contre le Sultan, avec lequel nous tenons à conserver de bonnes relations, mais seulement pour reconnaître les services qu'il nous a rendus et qu'il nous rendra encore en Algérie et en Tunisie. Nous n'attachons, d'ailleurs, que bien peu d'importance à ces manifestations de Chefs de tribus dont parle le "Réveil du Maroc." Dans tous les pays Musulmans, où les populations sont écrasées sous un joug odieux, dès qu'une autorité étrangère quelconque paraît s'élever à côté de l'autorité indigène, tout le monde se tourne vers elle avec l'espoir d'échapper aux vexations sans nombre de cette dernière. Mais ces mouvements, qu'on prend pour des mouvements d'opinion publique, ne sont que des mouvements d'intérêts individuels qui disparaissent dès qu'une crise décisive se produit. Le jour où une révolution éclaterait au Maroc, le fanatisme s'y réveillerait immédiatement, et tous les Chrétiens, sans distinction, se trouveraient exposés à ses violences.

Voilà pourquoi la France tient par-dessus tout à ce qu'une révolution ne vienne pas troubler les progrès de sa politique pacifique et civilisatrice dans ces contrées voisines de sa grande Colonie Africaine. Nous lisons encore dans le "Réveil du Maroc":—"Depuis quelque temps, on nous signale une grande effervescence parmi les tribus de l'intérieur, qui seraient prêtes à secouer le joug du Gouvernement actuel. Les extorsions et les actes arbitraires des fonctionnaires Musulmans en sont arrivés à tel point, que plusieurs provinces se sont coalisées, soit en vue d'opposer une résistance passive, soit pour se mettre à l'abri de ses vexations sous un drapeau étranger. Étant donnée cette disposition d'esprit, il ne serait pas impossible que nous fussions à la veille d'un mouvement populaire au Maroc." Si ces renseignements sont exacts, ce dont nous doutons beaucoup pour notre compte, nous sommes certain que notre Ministre à Tanger profitera de la grande influence qu'il s'est acquise dans le pays pour comprimer autant que possible d'aussi dangereux ferments d'insurrection. Il saura tenir aux Chefs de tribus qui viennent le consulter un langage ferme et clair. La France ne sera jamais au Maroc l'alliée de la révolte contre le Sultan. Ceux qui compteraient sur elle pour les aider à préparer une révolution commettraient la plus grande des erreurs, et, comme ils seront avertis d'avance, ils ne pourraient se plaindre à personne s'ils en étaient les victimes.

(Signé) GABRIEL CHARMES.

No. 185.

Earl Granville to Mr. Reade.

(No. 12.)

(Telegraphic.)

Foreign Office, June 14, 1884, 2.5 P.M.

MY telegram No. 11 of 2nd instant.
How soon may we expect Report?

No. 186.

Mr. Reade to Earl Granville.—(Received June 16.)

(No. 19.)

(Telegraphic.)

Tunis, June 16, 1884.

REPLY to your Lordship's No. 12.
Report forwarded 11th instant.

No. 187.

Question asked in the House of Commons, June 16, 1884.

Baron Henry de Worms.—To ask the Under-Secretary of State for Foreign Affairs whether, in view of the danger to British interests which would be caused by France obtaining a similar position at Tangier to that which she occupies at Tunis, he will now state what instructions, if any, have been forwarded to Her Majesty's Representative at Tangier as to the recent action of the French Government with regard to the Shereef of Wazan;

And whether the papers on the subject will be laid upon the table of the House.

Answer.

I beg to refer the honourable Member to the reply which I gave to the honourable Member for Glasgow on Friday last, when I stated that the assurances received from the French Government, that they have no designs upon Morocco, and repudiate all idea of establishing a Protectorate or of promoting troubles in the country, have been communicated to Her Majesty's Minister at Tangier, and through him to the Moorish Government. Her Majesty's Government do not consider it advisable to present any papers at present.

No. 188.

Mr. Reade to Earl Granville.—(Received June 17.)

(No. 25.)

My Lord,

Tunis, June 9, 1884.

HAVING, in pursuance of your Lordship's telegram No. 11 of the 2nd instant, obtained from the British Representatives on the Finance Commission a Report upon the Bey's late Decree respecting the conversion of the Tunisian Debt, I have the honour to transmit a copy of that Report to your Lordship's Office.

These gentlemen have no fault to find with the terms of the projected conversion, except as regards the mode in which it is proposed to deal with the unpaid coupons of past years, the securities which have hitherto guaranteed the future payment of these coupons being, in their opinion, illegally abridged. They have accordingly protested, in the name of the bondholders interested, against this seeming violation of the original contract, and as, in the course of their Report, mention is repeatedly made of that contract, I beg to hereto also annex a copy of it.

I have, &c.

(Signed)

THOS. F. READE.

Inclosure 1 in No. 188.

Report of English and Italian Representatives on Finance Commission.

M. l'Agent et Consul-Général,

Tunis, le 8 Juin, 1884.

LE Décret du 2 Châban, 1301 (27 Mai, 1884), établit la conversion de la Dette Générale Tunisienne en obligations 4 pour cent; il offre à ceux des porteurs qui ne voudraient pas accepter cette mesure le remboursement intégral de leurs titres; et dans ces limites, et bien qu'il ait été promulgué sans l'assentiment préalable de la Commission Financière, il ne contient rien qui puisse léser les intérêts légitimes des créanciers ou motiver l'opposition de leurs délégués. Il n'a fait d'exception que pour une seule catégorie de titres, les bons de coupons arriérés; les porteurs de ces titres n'ont qu'une alternative, c'est d'accepter la conversion au taux de 84.24 pour cent de la valeur nominale (Article 4, No. 2) ou bien de continuer sous le régime des arrangements antérieurs, c'est-à-dire, d'être remboursés, par la voie du tirage, sur les revenus supplémentaires de la Douane d'importation, qui doit faire retour, avec les autres revenus concédés, au Gouvernement Tunisien; en d'autres termes, l'alternative qu'on offre aux porteurs de certificats est la suivante: accepter la conversion avec une perte de 15.76 pour cent., ou bien attendre le remboursement sur les revenus de leur gage dont on les dessaisit, et qu'on restitue au débiteur.

Cette irrégularité de traitement a soulevé à Tunis et en Italie les plaintes les plus vives; le Comité de Contrôle a été mis en demeure de sauvegarder les intérêts de ses mandants; il a dû présenter leurs réclamations et leurs réserves dans la séance de la Commission Financière du 3 Juin courant: la majorité, composée de trois membres du Gouvernement Tunisien, formant le Comité Exécutif, et du Contrôleur Français, a décidé de passer outre; elle a même refusé l'insertion au procès-verbal de la séance de la protestation que nous avons cru devoir formuler pour constater au moins et nos réserves et la décision contraire de la majorité. En voici les termes:—

“Les membres soussignés du Comité de Contrôle de la Commission Financière, “Attendu que le § 2 de l'Article 4 du Décret de Son Altesse le Bey du 2 Châban, 1301 (27 Mai, 1884), constitue une violation des droits des porteurs de certificats de coupons arriérés, et afin de sauvegarder les droits et les intérêts des porteurs susdits, et de mettre à couvert leur responsabilité tout en protestant contre la

délibération qui vient d'être prise, se réservent de soumettre la question aux Représentants des Puissances dont ils relèvent et auxquels il appartient d'intervenir.”

Cette protestation se fonde sur un double motif: l'incompétence de la Commission et la violation du Traité du 23 Mars, 1870, passé par le Gouvernement avec ses créanciers.

Nous pensons que la Commission Financière n'a point qualité pour décider, à la simple majorité, et par une délibération collective, des questions qui se rattachent à l'existence même de l'Arrangement du 23 Mars: le Décret du 5 Juillet, 1869, le Traité du 23 Mars, tous les précédents s'y opposent. Créé pour liquider et régler les dettes du Gouvernement la Commission a été partagée, par son Décret Constitutif, en deux Comités dont l'origine, les attributions, et le rôle sont parfaitement distincts, dont l'un, le Comité Exécutif, nommé par Son Altesse, composé de fonctionnaires Tunisiens, présidé par le Premier Ministre, représente le Gouvernement et en dirige l'Administration; tandis que l'autre, le Comité de Contrôle, tient son mandat des porteurs d'obligations, ne représente qu'eux, et “a surtout pour mission d'apprécier et de régler les intérêts des créanciers”—ainsi que l'a reconnu le Comité Exécutif lui-même (séance du 4 Février, 1870). Ainsi, d'une part les délégués du débiteur, de l'autre les délégués des créanciers, constituant un corps unique, chargé de veiller aux intérêts communs de l'un et de l'autre; telle est la Commission, dans l'esprit de ceux qui l'ont instituée. Si, dans les questions d'intérêt général, ou plutôt d'intérêt commun du Gouvernement et de ses créanciers, la Commission a le droit et le devoir de délibérer et de voter en commun, il n'en est plus de même, il ne peut plus en être de même, dès que les questions à résoudre impliquent un conflit d'intérêts entre le Gouvernement et ses créanciers; chacun des Comités reprend alors son existence distincte et la liberté de son action, tout cela n'est point douteux; il suffit de se reporter au Décret Constitutif du 5 Juillet (Articles 3, 10, et 11), aux procès-verbaux de la Commission, notamment à ceux de 1869 et 1870, pour voir quelle a été la loi primitive et la pratique constante de la Commission.

C'est dans ces conditions qu'a été conclu l'Arrangement du 23 Mars, c'est le Comité Exécutif, agissant pour le Gouvernement qui en a proposé les bases, c'est le Comité de Contrôle, agissant pour les créanciers, qui les a examinées, modifiées, et approuvées de ce concours de volontés distinctes, séparées, marchant au devant l'une de l'autre, est né le Traité du 23 Mars, lorsqu'il s'agit, soit de le modifier, soit de l'annuler, chacune des volontés qui ont concouru à former l'acte reprend son existence distincte et la pleine liberté de son action, et les deux Comités qui les représentent se posent à l'encontre l'un de l'autre, dans la plénitude de leurs pouvoirs et de leurs droits; aucun d'eux ne peut imposer son vote à l'autre.

C'est pourtant ce qu'a fait le vote du 3 Juin: il a soumis à la délibération collective de la Commission une question ayant trait à l'exécution de l'arrangement, et que chacune des parties a, par conséquent, le droit d'examiner à part et de décider seule: il a effacé la séparation nécessaire, dans ce cas, entre les deux Comités; et le résultat naturel, inévitable de cette violation des principes a été d'affranchir le débiteur de ses engagements au moyen d'une majorité composée de trois de ses Ministres et du Contrôleur Français. Le vote du 3 Juin n'engage point les créanciers.

Il les engage d'autant moins qu'il constitue une infraction formelle des obligations assumées, le 23 Mars, 1870, par le Gouvernement Tunisien envers ses créanciers.

En droit, la question que se posait la Commission était la suivante: le Gouvernement peut-il dénoncer la Convention bilatérale du 23 Mars, reprendre le gage donné à ses créanciers, sans leur offrir à tous, sans distinction, le paiement intégral de leurs créances? Evidemment non: il est de principe que le gage est indivisible; il garantit tout entier chaque partie de la Dette; le débiteur ne peut en réclamer la restitution avant le paiement intégral de ce qu'il doit: ces principes du droit commun ont été reconnus, formellement consacrés par le Traité du 23 Mars: cet arrangement a réuni, en une masse unique, toutes les dettes de l'État, y compris les coupons échus et non payés: il a concédé, à ces créanciers, “solidairement et indivisément . . . et jusqu'à l'extinction complète de la Dette”—ce sont les termes mêmes du Traité, un certain nombre de revenus, qui sont devenus, par là, “la propriété commune de tous les créanciers”—il a créé, pour administrer cette propriété commune, une certaine organisation contrôlée, surveillée, par les représentants des créanciers et par ceux du débiteur; enfin, il a affecté spécialement au remboursement des coupons arriérés une garantie spéciale, le produit des droits supplémentaires de Douane. Ces revenus, cette organisation, sont la garantie de chacun des créanciers auxquels ils ont été concédés collectivement et solidairement, et tant que la Dette et chacun des groupes de créances qui la constituent n'est pas entièrement soldée, ces garanties ne peuvent être ni modifiées ni diminuées: c'est l'Arrangement du 23 Mars qui le dit en termes formels.

Ainsi, pour les porteurs de certificats arriérés comme pour les autres, il n'y a qu'une solution possible en droit. Si le Gouvernement, débiteur, veut rentrer en possession du gage, il doit offrir à ces porteurs le remboursement intégral et immédiat de leurs titres; à défaut de ce remboursement il doit leur laisser la garantie qu'il leur a spécialement affectée, dans les conditions prévues par l'Arrangement du 23 Mars, 1870: le gage, nous le répétons, a été donné à tous les créanciers "solidairement et indivisément"—c'est donc chacun des créanciers qu'il faut désintéresser avant de reprendre le gage qui est "leur propriété commune."

Telles sont les considérations que nous avons soumises à la Commission Financière: la majorité les a repoussées par une décision doublement irrégulière. Cette majorité s'est considérée compétente pour résoudre la question, et pour la décider dans un sens absolument contraire aux principes du droit commun, aux stipulations du 23 Mars, aux intérêts des créanciers que la Commission doit sauvegarder et défendre.

Les Soussignés n'ont plus, dans ces conditions, qu'à prendre les mesures conservatoires que leur impose leur conscience et leur mandat; ils ont le devoir de protester formellement, au nom et dans l'intérêt des porteurs de coupons arriérés, contre les dispositions du Décret du 2 Châban, 1301, concernant ces titres; ils protestent en outre contre la décision prise par la Commission Financière dans la séance du 3 Juin, 1884, comme étant irrégulière dans la forme et dans le fond, en ce qu'elle a été votée par une majorité qui n'avait aucune qualité pour la prononcer ou y prendre part, et en ce qu'elle contient une infraction formelle du Traité passé le 23 Mars, 1870, entre le Gouvernement Tunisien et ses créanciers, représentés par le Comité de Contrôle; ils déclarent par conséquent de réserver tous les droits des porteurs de coupons arriérés au remboursement intégral et immédiat de leurs titres, et à défaut, leur droit à retenir le gage qui leur a été affecté, dans les conditions et avec les garanties énoncées dans la Convention du 23 Mars, 1870; ils font appel en même temps aux Représentants des trois Puissances protectrices de la Commission Financière pour les prier de sauvegarder les droits des porteurs de coupons arriérés, et d'empêcher toute atteinte aux gages dont ils sont nantis, en déclarant au nom de leurs mandants qu'ils tiendront le Gouvernement Tunisien pleinement responsable de toutes les conséquences que pourrait entraîner l'exécution du Décret du 2 Châban au préjudice des certificats de coupons arriérés.

Les Soussignés, &c.

(Signé)

M. P. LEVY, *Contrôleur Anglais.*
M. AZUELOS, *Contrôleur Anglais.*
A. D. MORENO, *Contrôleur Italien.*

Inclosure 2 in No. 188.

Copy of Contract of March 23, 1870.

LE Comité Exécutif, en vertu des attributions qu'il tient de l'Article 8 du Décret du 5 Juillet, 1869, et pour mettre à exécution les bases d'arrangement dont le projet déjà approuvé par le Comité de Contrôle, signé par Son Altesse le Bey, est annexé aux présentes, propose au Comité de Contrôle l'adoption des dispositions suivantes qui, après avoir été rendues exécutoires dans les conditions prescrites par l'Article 11 du Décret susmentionné, seront soumises à la ratification de Son Altesse le Bey, et acquerront ainsi force de loi.

Dès que ces formalités auront été remplies, il sera remis aux membres du Comité de Contrôle trois expéditions authentiques de ces dispositions pour être déposées dans les archives de chacun des Consuls-Généraux des trois Gouvernements d'Angleterre, de France, et d'Italie, sous le patronage desquels le présent arrangement a été conclu; l'exécution de cet arrangement sera également placée sous la sauvegarde de ces trois Gouvernements jusqu'à extinction complète (intérêts et capitaux) de la dette qui en est l'objet.

La fusion des dettes de diverses catégories existant aujourd'hui est et demeure résolue; (A) elle sera accomplie dans les proportions qui seront arrêtées par la Commission Financière en exécution des Articles 4, 5, 8, et 11 du Décret du 5 Juillet, soit par catégorie entière de titres, soit pour chaque titre isolément.

L'échange des titres de diverses natures existant aujourd'hui contre des obligations nouvelles d'un type unique s'opérera d'après les bases arrêtées déjà par la Commission Financière, et qui seront indiquées plus loin. Les obligations nouvelles seront au porteur; elles représenteront un capital nominal de 500 fr., et donneront droit à 25 fr. d'intérêt annuel, payable par semestre (au 1^{er} Janvier et 1^{er} Juillet); elles seront

imprimées en Arabe et en Français afin d'être plus facilement négociables à l'étranger et à Tunis.

C'est au Conseil d'Administration, dont il sera parlé plus loin, qu'il appartiendra de prendre, sous le contrôle et la surveillance du Comité Exécutif, toutes les mesures nécessaires pour assurer le paiement des coupons, qui pourra être réclamé par les porteurs dans l'une des quatre villes de Paris, Londres, Florence, et Tunis; les frais qui résulteront de ces mesures seront à la charge de la Caisse commune appartenant aux créanciers.

A chaque obligation nouvelle seront joints trente coupons semestriels. Les obligations qui ne seraient pas amorties à l'expiration des quinze années correspondant à ces trente coupons, seront alors échangées contre de nouvelles obligations munies de leurs coupons, ou donneront seulement lieu à la délivrance d'une nouvelle série de coupons devant accompagner les anciens titres, suivant qu'il sera décidé à cette époque.

Les obligations qui seront émises par suite de la présente opération jouiront, jusqu'à leur rachat intégral, de tous privilèges d'antériorité sur les dettes que le Gouvernement Tunisien pourrait contracter dans l'avenir, dans les cas et suivant les formalités indiquées par l'Article 9 du Décret du 5 Juillet.

L'échange des titres actuels de la Dette Tunisienne contre les obligations nouvelles s'opérera dans les proportions suivantes:—

Emprunts de 1863 et 1865.—Chaque obligation des Emprunts de 1863 et 1865 donnera droit à une obligation nouvelle.

1^{re} Conversion.—Cinq obligations de cette conversion seront représentées par six obligations nouvelles.

2^e Conversion.—Dix obligations actuelles donneront droit à neuf obligations nouvelles.

3^e Conversion.—Cinq obligations de cette conversion donneront droit à deux obligations nouvelles.

4^e Conversion.—Soixante obligations anciennes seront représentées par cinquante et une nouvelles.

Pour la Dette Flottante.

1^{re} Catégorie.—500 fr. de capital donneront droit à une obligation nouvelle.

2^e Catégorie.—715 fr.

3^e Catégorie.—1,250 fr.

4^e Catégorie.—2,500 fr.

" " " "

Le Gouvernement Tunisien s'engage à n'imposer, sous quel prétexte, à quelle époque, et dans quelle circonstance que ce soit, aucune taxe ni droit de timbre sur ces obligations, pas plus que sur les coupons d'intérêts.

Le Conseil d'Administration, dont la création est déjà résolue, aura pour mission de diriger et de surveiller la réalisation des revenus concédés; d'en centraliser le produit et d'en administrer l'emploi. Ces revenus seront la propriété commune de tous les créanciers de l'Etat. Le Conseil procédera à ces diverses opérations pour le compte des créanciers, sous sa responsabilité personnelle, et sous le contrôle et la surveillance du Comité Exécutif. Il se composera de cinq membres qui, pour la première fois, seront tous nommés directement par la Commission Financière, à l'exception du membre Tunisien, qui sera désigné par le Comité Exécutif seul.

Les autres dispositions relatives à l'organisation de ce Conseil feront, ainsi que les conditions principales de la gestion des intérêts qui lui seront confiés, l'objet d'un règlement spécial, qui sera préparé par le Comité Exécutif, et deviendra exécutoire suivant les formalités exigées par l'Article 11 du Décret.

Le présent arrangement et les stipulations qui en découlent, sont consentis au profit de tous les créanciers actuels moyennant la cession faite par Son Altesse le Bey, spontanément, librement, et dans le plein exercice de ses pouvoirs souverains, à tous ces créanciers, solidairement et indivisément, des revenus ci-après désignés, dont le produit sera intégralement employé par les soins du Conseil d'Administration—sauf les restrictions énoncées plus loin—au service, soit des intérêts, soit de l'amortissement par la voie du rachat, soit des frais d'administration de toute nature—et ce jusqu'à son extinction complète de la Dette, qui sera liquidée et arrêtée par la Commission Financière.

Ces revenus sont les suivants:—

	Fr.
Mahsoulates de Sousse et Monastier	400,000
Rahbas de Tunis	97,000
Douane de Tunis (importation)	500,000
Droit de la Karrouba à Tunis	100,000
Douane de Sfax	45,000
" de Gabes	8,000
" de Sousse, Monastier, et Mehdi	25,000
Ferme des tabacs	220,000
Droits sur les vins à Tunis	55,000
Marché au bois et au charbon	45,000
Ferme du plâtre	60,000
" des poulpes et éponges	55,000
" du sel	110,000
Mahsoulates de la Goulette	20,000
Kanoun des oliviers de Sousse	850,000
" de Monastier	
" de Mehdi	
" de Sfax	
" de Outan et Kobli	150,000
Mahsoulates et Douane de Gerba	90,030
Droits sur la pêche du corail	8,000
Droits d'exportation	2,640,000
Octroi	350,000
Droit du timbre	300,000
Ferme du poisson	100,000
Mahsoulates de Bizerte	80,000
" de Sfax	100,000
" de Outan et Kobli	85,000
" de Mehdi	12,000
Total	6,505,000

Ces revenus sont concédés en pleine et entière jouissance aux créanciers, dans le présent et pour l'avenir, jusqu'à extinction de la Dette actuelle et quelles que soient les modifications de taxes ou de tarifs qui puissent intervenir; mais le mode de cette jouissance variera suivant la nature des revenus eux-mêmes, et surtout suivant qu'il s'agira de revenus dont la perception pourrait être gérée directement pour le compte des créanciers, ou de revenus à percevoir dans l'intérieur du pays (Kanoun).

Les revenus des Mahsoulates, des Douanes, du tabac, seront perçus en régie ou au moyen de la mise en ferme, selon que l'un ou l'autre de ces deux modes sera jugé préférable dans les intérêts des créanciers par le Conseil d'Administration.

La perception en régie est l'administration directe par les membres du Conseil d'Administration.

La mise en ferme aura lieu par adjudication avec concurrence et publicité; les conditions particulières à imposer aux fermiers feront l'objet d'un Cahier des Charges qui sera publié plusieurs jours avant l'adjudication. Ces adjudications auront lieu dans un local dépendant du Ministère et en présence d'un membre du Comité Exécutif; dans le cas où le membre de ce Comité ne se présenterait pas au jour et à l'heure fixés pour la mise en adjudication, le Conseil aura le droit de passer outre s'il juge utile.

Le droit du timbre sera perçu directement par le Conseil d'Administration dans la même forme qu'il l'est aujourd'hui par les Commissaires de la Conversion d'Août.

Pour la perception du "Kanoun" des oliviers du Sahel, de Outan-el-Kobli, et de Sfax, il sera délivré par le Gouvernement au Conseil d'Administration cinquante amras, ou délégations (correspondant à cinquante années) sur les Caïds, ordonnant à ces agents, qui demeureront chargés du recouvrement, sous la direction et la surveillance du Comité Exécutif, de verser dans la Caisse du Conseil, ou entre les mains de ses représentants, dûment accrédités, toutes les sommes qu'ils percevront. Les reçus que les agents du Gouvernement auront à remettre aux contribuables devront, pour être valables, porter le visa d'un délégué du Conseil d'Administration.

Au moment où le présent arrangement, ratifié par Son Altesse le Bey, devra être mis à exécution, le Gouvernement délivrera au Conseil d'Administration une quantité suffisante de theskérés d'exportation à l'usage des différents ports d'embarquement de la Régence.

La gestion de ces divers revenus, quelqu'en soit le mode, ainsi que les opérations de caisse et de comptabilité qui en seront les conséquences, s'exécuteront sous le contrôle et la surveillance du Comité Exécutif.

Comme conséquence de l'engagement pris par Son Altesse le Bey dans l'Article 8 du Décret du 5 Juillet, le Gouvernement s'engage à faciliter l'exécution de toutes les opérations relatives à la perception des revenus concédés.

Les taxes ou tarifs actuellement en vigueur sont maintenus pour ceux des revenus

ou impôts concédés qui sont soumis à ce mode d'assiette; toutefois, le Gouvernement se réserve la faculté de pouvoir, en consultant le Conseil d'Administration, apporter, soit dans les Tarifs de Douanes, soit dans le mode d'assiette ou d'exploitation d'autres revenus—le tabac, par exemple—les modifications qui seraient jugées de nature à en améliorer le produit tout en favorisant l'intérêt général du pays.

Le produit annuel des revenus concédés est évalué à 6,500,000 fr., somme reconnue nécessaire pour le service de la Dette liquidée au 20 Février dernier, conformément aux stipulations du présent arrangement.

Le Gouvernement en garantit la réalisation, mais seulement jusqu'à concurrence de 5,000,000 fr. pour la première année, de 5,500,000 fr. pour la seconde année, et de 6,000,000 fr. pour la troisième; à partir de la quatrième année et pour toutes les suivantes la garantie portera sur la somme intégrale. En conséquence, tout déficit sur l'une des sommes ci-dessus constaté à l'expiration de l'année correspondante, sera comblé au moyen du prélèvement d'une somme égale sur les autres revenus de l'État, que le Comité Exécutif est chargé de percevoir aux termes de l'Article 9 du Décret.

Si le produit des revenus concédés s'élevait à une somme supérieure à 6,500,000 fr., sans dépasser toutefois 8,000,000 fr., l'excédent serait employé à l'amortissement de la Dette par la voie du rachat au cours du jour.

Tout excédent au delà de 8,000,000 fr. serait partagé également entre les créanciers et l'État; la part revenant aux premiers sera affectée à l'amortissement dans les mêmes conditions que ci-dessus; celle attribuée à l'État serait employée en travaux d'utilité publique exécutés par entreprise par adjudications passées avec concurrence et publicité et d'après des devis établis par des hommes spéciaux.

Il sera fait au Gouvernement, sur les fonds existants dans la Caisse du Conseil d'Administration, pour cette première année, une avance de 1,000,000 fr. au maximum, remboursable sans intérêts dans un délai de six mois au plus. Dans l'avenir, une avance de même somme pourra être faite dans les mêmes conditions que ci-dessus, mais seulement dans le cas de nécessité urgente constatée par le Comité Exécutif.

Le Gouvernement de Son Altesse le Bey prend enfin l'engagement vis-à-vis des trois Puissances amies, comme vis-à-vis de ses créanciers, de persévérer dans la voie tracée par le Décret du 5 Juillet, de maintenir ses dépenses dans les limites des crédits ouverts par le Budget qui sera préparé chaque année par le Comité Exécutif, et d'employer ses ressources disponibles en travaux d'utilité générale.

Remboursement des Coupons Arriérés.

Il sera créé à cet effet, pour chacun des titres actuels portant des coupons d'intérêts et de quelque catégorie qu'ils soient, un certificat distinct portant la somme qui sera allouée comme indemnité représentative des coupons échus et non payés. Ces certificats seront joints individuellement aux obligations nouvelles au moment de leur échange contre les anciens titres; ils seront au porteur et seront remboursés sans intérêts par voie de tirage au sort, au moyen du produit qui résultera de l'augmentation des Tarifs actuels des droits de douanes à l'entrée.

Dispositions Transitoires.

En raison des intérêts considérables qui se trouveraient gravement compromis par tout nouveau retard dans la mise à exécution du présent arrangement, le Comité Exécutif propose de décider qu'immédiatement après la ratification de cet arrangement par Son Altesse le Bey, les membres du Comité de Contrôle, revêtus par les créanciers des pouvoirs les plus étendus, prendront provisoirement en mains l'administration des revenus concédés, et les géreront en se conformant aux clauses et conditions énoncées précédemment jusqu'à ce que le Conseil d'Administration ait été constitué et que le Règlement relatif aux opérations de ce Conseil ait été rendu exécutoire.

En conséquence, les Commissaires des Conversions devront, à cette même date, en réglant leurs comptes avec le Gouvernement, remettre aux membres du Comité de Contrôle tous les titres relatifs aux garanties administrées par eux en vertu de leurs contrats respectifs—ces garanties devant être considérées, à partir de la date ci-dessus, de même que celles appartenant aux obligataires des Emprunts de 1863 et de 1865, comme étant la propriété de la masse des créanciers. Mais il est bien entendu que si, par une cause quelconque, le présent arrangement ne recevait pas son plein et entier effet, les obligataires et les conversionnistes rentreraient, sous les conditions inscrites dans leurs anciens contrats, en possession de leurs garanties respectives, ainsi que des titres y afférents—ces dernières valeurs se trouvant ainsi déposées provisoirement entre les mains

des membres du Comité de Contrôle, qui en seront responsables envers les détenteurs primitifs.

(Signé) KHÉRÉDINE.
VILLET.
MOHAMMED.
M. SANTILLANA.
GAET^o. FEDRIANI.
M. P. LEVY.
G. GUTTIEREZ.
ALBERT DUBOIS.
BONFILS.

Tunis, le 23 Mars, 1870.

No. 189.

Mr. Reade to Earl Granville.—(Received June 18.)

(No. 26.)

My Lord,

Tunis, June 12, 1884.

SINCE posting my despatch No. 25 of the 9th instant, and the Report, or protest, it incloses, which the British Representatives on the Finance Commission have felt it their duty to record, with regard to certain of the details of the scheme for conversion of the Tunisian Debt, I have learnt that a proposition is made by the Tunisian Government for substituting a new guarantee for that which has hitherto existed for liquidation of unpaid coupons of past years, and against the withdrawal of which the Controllers representing England and Italy have protested.

Having obtained a copy of the letter from the Prime Minister to the President of the Finance Commission, in which that proposition is embodied, I have the honour to forward it to your Lordship's Office.

A majority of the Financial Council having declared in favour of this change, there is no doubt it will be carried into effect, notwithstanding the protest of the English and Italian Controllers.

I have, &c.
(Signed) THOS. F. READE.

Inclosure in No. 189.

The Prime Minister to the President of the Finance Commission.

Le 14 Châban, 1301 (8 Juin, 1884).

J'AI reçu la lettre que vous m'avez écrite le 10 Châban courant, pour me faire connaître que dans ses séances du 1^{er} et 3 Juin la Commission Financière vous a chargé de demander au Gouvernement les garanties nouvelles qu'il consentirait à offrir aux porteurs de certificats de coupons arriérés antérieurs à 1870, qui n'auraient pas converti leur créance dans les conditions du Décret du 2 Châban, 1301, pour remplacer celle résultant de la perception directe par l'Administration des Revenus Concédés, sous le contrôle de la Commission Financière, du 5 pour cent du produit net des douanes d'importation.

En réponse je vous fais connaître que le Gouvernement est disposé à donner aux créanciers dont il s'agit les garanties suivantes :

Les fonds reçus directement par l'Administration des Revenus Concédés sur le 5 pour cent des douanes jusqu'au 15 Septembre, 1884, seront uniquement employés au paiement des certificats sortis aux tirages effectués jusqu'à cette date inclusivement.

Le 1^{er} Décembre, 1884, MM. les Consuls de France, d'Angleterre, et d'Italie s'assureront que le paiement des coupons sortis aux tirages s'effectue régulièrement et qu'un dépôt en titres de rente Française ou Tunisienne, d'une valeur égale au montant du dernier tirage, a été fait à la Banque de France pour garantir le paiement résultant du tirage suivant.

La condition de ce dépôt sera d'être employé exclusivement au paiement de ce tirage.

MM. les Consuls sus-désignés s'assureront en même temps que le montant des recettes opérées sur le 5 pour cent des douanes d'importation est bien représenté par le dépôt effectué, sinon ils exigeront un supplément de dépôt.

Des vérifications seront effectuées tous les 1^{er} Juin et Décembre de chaque année jusqu'à complet remboursement des certificats de coupons arriérés antérieurs à 1870.

Si, contre toute attente, ce qu'à Dieu ne plaise, le Gouvernement se trouvait dans l'impossibilité de satisfaire à ses engagements, MM. les Consuls sus-désignés, usant des pouvoirs qui leur seraient donnés à cet effet, pourront réaliser le gage et prendront toutes les mesures conservatoires qui leur paraîtraient opportunes pour assurer à l'avenir l'affectation du 5 pour cent des douanes d'importation au remboursement des certificats à sortir aux tirages ultérieurs.

J'ai lieu de penser que ces propositions seront reconnues par la Commission Financière comme répondant à toutes les exigences des porteurs de certificats de coupons antérieurs à 1870 non convertis. Dans ce cas, je vous prie de me le faire connaître afin que je puisse prendre, auprès des trois Puissances : de France, d'Angleterre, et d'Italie, mes dispositions en conséquence.

Le Premier Ministre,
(Signé) MOH^d. EL AZIZ BOU ATTOUR.

No. 190.

Sir A. Paget to Earl Granville.—(Received June 18.)

(No. 170.)

My Lord,

Vienna, June 14, 1884.

I HAVE the honour to inform your Lordship that the Vienna "Gazette" of to-day publishes an Imperial Decree suspending the jurisdiction of Austrian Consuls in Tunis, and transferring their judicial functions to the French Tribunals established in the Regency.

I have, &c.
(Signed) A. PAGET.

No. 191.

Mr. Reade to Earl Granville.—(Received June 18.)

(No. 27.)

My Lord,

Tunis, June 14, 1884.

I HAVE the honour to report that M. Cambon, the French Minister Resident, returned to his post on the 11th instant, after an absence of four months, and that Baron d'Estournelles, the late Acting Chargé d'Affaires, leaves Tunis this day to assume the duties of Secretary of Embassy elsewhere.

M. E. Bompard, Secretary of Legation in the French service and Secretary-General of the Tunisian Government, has been selected to replace the Baron d'Estournelles in the duties he has hitherto discharged in this country.

I have, &c.
(Signed) THOS. F. READE.

No. 192.

Sir J. Drummond Hay to Earl Granville.—(Received June 19.)

(No. 59.)

My Lord,

Tangier, June 12, 1884.

WITH reference to my despatch No. 18 of the 12th March, regarding the prisoners in Morocco who were in the service of the agents of the Sûs and North African Company, I have the honour to transmit copy of a despatch from Her Majesty's Consul at Mogador, reporting that the prisoners were released on their arrival at Mogador.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 192.

Consul Payton to Sir J. Drummond Hay.

Sir,

Mogador, June 6, 1884.

WITH reference to your letter of the 23rd April last and Mr. White's despatch No. 13, Consular, of the 8th May, on the subject of the prisoners Hadj Hamdan, his son, and Gilaby, I have now the pleasure to report the release of those three prisoners.

They arrived under escort from Morocco on the evening of the 5th instant, and were lodged by the Kaid in the town prison for the night.

In the morning, while awaiting communication from the Kaid as to the steps for their release, hearing that they still had shackles on, I asked that these might be removed, which was immediately done. Their escort brought Royal letters to the Kaid and Kadi, who, in the afternoon, selecting some of the numerous guarantors who offered themselves, took the required guarantees and released the prisoners, who are reported to have said that they wished they might have their heads cut off if they ever went down to Sûs again.

I beg to convey to you the expression of Mr. Grace's thanks, on his own behalf and on that of the prisoners, for your energetic and successful action on behalf of these men.

I have, &c.
(Signed) CHAS. PAYTON.

No. 193.

Sir J. Drummond Hay to Earl Granville.—(Received June 19.)

(No. 60. Confidential.)

My Lord,

Tangier, June 12, 1884.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch No. 28 of the 4th instant, transmitting copy of a despatch from Her Majesty's Ambassador at Paris, in which his Excellency states that M. Ferry had assured him that France had no desire to change the *status quo*, and that his instructions to M. Ordega were to pursue a strictly conservative policy.

The information which has reached me from the interior, and even from England, satisfies me that either M. Ordega disregards the instructions he receives, for he has taken active steps, in concert with the Shereef of Wazan, for bringing about a rebellion throughout the country which will end in the downfall of the Sultan and the occupation by France of Morocco; or M. Ferry gives these assurances with the view of tranquillizing Her Majesty's Government and public opinion in England and Europe, so as to enable him at a propitious moment to carry into execution, without hindrance, the ambitious designs which France has in view. It may be in a few months, or in a year or two, but step by step, sap and mine are at work, and their end will be attained. The frontier question will suffice to bring about a rupture of relations, for I do not expect the Sultan will cede the large tract of territory which it is supposed the French Government will demand; and I may add that I do not think His Shereefian Majesty dare make such a concession.

I transmit copy of a private letter addressed to me by Her Majesty's Consul at Mogador, reporting that an insurrection has taken place in Soos against the Sultan's authority, fomented by the Shereef of Wanza.

Information has reached me of emissaries having been sent by the Shereef of Wazan, or his sons, to the tribes dwelling in the districts adjoining the Algerian frontier, and also to the southern provinces.

A friend of mine writes from London that Mrs. Keene, the mother of the English wife of the Shereef of Wazan, had mentioned to her in a mysterious manner that her daughter had informed her that ere long startling events would occur in Morocco, which would surprise the British public.

It would be a great satisfaction for me to learn, at the present critical moment, what may be the views of Her Majesty's Government, and whether I am to continue to pursue the same line of conduct as I have hitherto done; and, further, what advice I should give the Sultan, if asked, when the question of the cession of territory for the rectification of frontier is put forward.

The statement that Spain has come to an arrangement with France regarding affairs in Morocco is very ominous.*

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 193.

Consul Payton to Sir J. Drummond Hay.

(Private.)

Dear Sir,

Mogador, June 7, 1884.

I HEAR from a private source that there is widespread insurrection in Soos against the Kaïds appointed by the Sultan after his campaign there in 1882, three of whom are said to have been killed. The revolt is reported to have reached G'sheema, near Agadir.

My informant said that this revolt has been fomented by a brother† of the Shereef of Wazan, who has lately come up from the south, and has taken a passage, I hear, with another Moor, per "Verité" for Tangier (through the French Consulate).

I hear that he went down south two months ago, and went to Cid Hosein-bel-Hashem.

I cannot at present vouch for the truth of this report, but I knew it would interest you, and will endeavour to obtain accurate information.

Yours, &c.
(Signed) CHAS. PAYTON.

No. 194.

Sir J. Drummond Hay to Earl Granville.—(Received June 21.)

(No. 62.)

My Lord,

Tangier, June 13, 1884.

A COURIER arrived from the Moorish Court yesterday evening, and it is reported that M. Ordega received satisfactory replies to the communications he had addressed the Sultan on his return to Tangier.

The French squadron left this afternoon, steaming west.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

No. 195.

Earl Granville to Sir J. Drummond Hay.

(No. 31.)

Sir,

Foreign Office, June 21, 1884.

I TRANSMIT to you herewith copy of a note which has been addressed to his Excellency Lord Lyons by M. Jules Ferry, in answer to the remonstrances made by my desire against the calumnious statements respecting yourself which appeared in the "Gaulois" newspaper, and which were attributed to M. Ordega,‡ and I have to inquire whether you are satisfied with this official disclaimer on the part of M. Ordega.

I am, &c.
(Signed) GRANVILLE.

No. 196.

Sir J. Pauncefote to Messrs. McNaught, Pearse, and Middleton.

Gentlemen,

Foreign Office, June 21, 1884.

WITH reference to the letter from this Office of the 27th March last, I am directed by Earl Granville to inform you that he learns from Her Majesty's Minister at Tangier that the Moorish subjects who had been imprisoned on account of their pro-

* See No. 151.

† Shereef has no brother; it must be some other member of his family.

‡ Inclosure in No. 180.

ceedings while in the service of the Sûs and North African Trading Company have been brought back to Mogador and liberated there.

I am, &c.
(Signed) JULIAN PAUNCEFOTE.

No. 197.

Sir J. S. Lumley to Earl Granville.—(Received June 23.)

(No. 98.)

My Lord,

Rome, June 16, 1884.

I HAVE the honour to inclose a report of the discussion which took place in the Chamber of Deputies on the 11th instant on the subject of the relations between France and Morocco. The question was brought forward by the Marquis de Camporealé (son of Madame Minghetti) in a maiden speech, in which he referred to the simultaneous presence at Paris of the Shereefian Prime Minister and the French Minister accredited to the Emperor of Morocco, to the reception given to that Minister on his return to his post by the native tribes, and to the official protection given by him to the Shereef of Wazan, a competitor for the Throne of Morocco. It was impossible, he said, to attribute much value to the assurances said to be given by France to Spain, that nothing would be undertaken in Morocco without the participation of Spain, since nothing was known of the negotiations on the subject between those two Powers, and experience had shown that little value should be attached to certain promises. It was, however, important to know how Italy stood with regard to this question, and whether her position in Europe enabled her to count on the maintenance of her rights and legitimate influence in Africa, and he hoped the Foreign Minister would be able to return a satisfactory answer stating that Italy could not remain indifferent to any change that might take place on the neighbouring coast of Africa. M. Mancini, while describing as exaggerated the statement, that recent events had excited in European public opinion alarm at the possibility of changes in the Empire of Morocco, stated that the Government, as in duty bound, had occupied itself with the matter. As regards the commercial relations of foreign countries with Morocco, England came first, then France, Spain occupied the third place, and Italy the fourth at a long distance. As regards political relations Spain was the first, England came next, and then France, who in 1845 concluded a Treaty with Morocco, which left in uncertainty the question of sovereignty over a zone of territory belonging neither to France nor to Morocco, and which was continually subject to the incursions of rebels; it was the rectification of this frontier that France demanded.

Although the interests of Italy are not of the same importance as those of the countries referred to, the contiguity of Morocco to the Mediterranean renders it most desirable that no change should take place which might alter the existing balance of power between the nations holding possessions on the Mediterranean. Still more would the interests of Italy be menaced by the formation of a vast African Empire in her immediate vicinity. The *status quo* is likewise desirable for the free navigation of the Straits of Gibraltar, a subject of interest for England. Should the territorial and political conditions of Morocco be modified, Italy might be compelled to protect her interests by augmenting her means of defence. (It is to be remarked that this last sentence, which has been much commented upon by the foreign press, does not appear in the Parliamentary Report of the official Gazette.) Referring to the two questions in dispute between France and Morocco, M. Mancini said the first, concerning the protection afforded by France to the Shereef of Wazan, seemingly in opposition to the Treaty of Madrid of 1880, appears to have been settled to the satisfaction of France by the removal of the Governor of Wazan.

For the settlement of the second question two propositions have been put forward, one, which would have been tantamount to the dismemberment of the Empire of Morocco; the other, giving to France the zone of disputed territory on the frontier in the interior; but it remains to be seen whether the agreement to be come to between France and Morocco will suffice to put an end to future disputes, or whether it will be a source of incessant conflicts. The categorical declarations given by France, not only to Italy, but to England and Spain, are reassuring. To suppose that these declarations have been made merely to lull the vigilance of Italy would be an insult to the noble French nation; nevertheless the facts of an analogous enterprise necessitate watchfulness. The French Government will be informed, in the most friendly way, of the intentions of Italy, and they will be requested to moderate the zeal of their Representative at Tangier. M. Mancini added that, though obliged to respect the international custom,

which precluded reference to secret negotiations, the Chambers might be convinced that the Government would neglect nothing to prevent any change occurring in Morocco which might prove dangerous to Italy.

The Marquis of Camporealé said that he was not satisfied with M. Mancini's explanations, which, far from being reassuring, only confirmed the gravity of the situation in Morocco. And although the Minister expressed his conviction that France would restrict herself to a rectification of the frontier, after what had occurred at Tunis it was to be hoped there would be no disillusion in Morocco. While taking note of the Minister's declarations, he should therefore reserve to himself to return to the subject, should an aggravation of the actual position give reason to fear that Italian interests were in danger. M. Mancini replied that he thought he had clearly explained that, of the two questions relating to Morocco, one was settled, while the other concerned a simple rectification of the frontier; he could not bring himself to doubt the explicit declarations he had received from Paris, declarations which had been made likewise to other European Cabinets. The Government, he repeated, would guard against all surprise, and its action would not be less energetic than that of other Powers whose interests in Morocco are more important than those of Italy. This last sentence is likewise omitted in the report of the debate in the official Gazette.

I have, &c.
(Signed) J. SAVILE LUMLEY.

No. 198.

Sir J. S. Lumley to Earl Granville.—(Received June 23.)

(No. 99.)

My Lord,

Rome, June 17, 1884.

WITH reference to my preceding despatch, I have the honour to inclose copy of an article from "L'Italie," which is considered to be the French organ at Rome, on the subject of Italian policy in Morocco. It would seem, the writer says, as if there was a determination to create an agitation about what is going on in Morocco, though Italian interests there are most limited, there being only fourteen Italian residents in that country, and the Italian commercial movement being utterly insignificant. It is said that, if France were to annex Morocco, she would create an African Empire, which would endanger the balance of power in the Mediterranean; but if France were foolish enough to extend her African possessions westward it would augment her difficulties, and not her power. She would have to employ an army of at least 30,000 men, and spend 50,000,000 fr. a-year. After fifty-four years of occupation the subjection of Algeria is so little completed, that a dangerous revolt broke out there three years ago, and it is the interest of France not to extend her territory, which is already too vast, in that quarter; if any Power is interested in maintaining the independence of Morocco, it is England rather than Spain or Italy. Spain looks upon Morocco as an eventual possession, which will fall to her share when she can occupy it, and has money to spare for that purpose; but Spain is so little in a hurry to do so, that she has not yet occupied places to which she has a right by Treaty.

England, no doubt, has serious interests in Morocco.

By taking the initiative in opposing the imaginary projects of France, Italy would therefore be working for Spain and England and not for herself, and would run the risks, if there are any, attached to such a policy, without any possible advantage, the west of Africa being entirely beyond her sphere of action. But this would not be her principal fault; if M. Camporealé and his friends succeed in establishing the belief that an irrevocable antagonism exists between Italy and France, they will have created a situation of the utmost danger; they reckon on the isolation of France, but this may cease, since it is evident that the actual state of affairs in Europe may be modified in many ways: this is the opinion of the majority of the Italian nation, and, to judge from his speech, it is certainly that of M. Mancini. Nor is it surprising that M. Minghetti have been looked upon as his organ, for M. Minghetti doubtless hopes to become Minister, and would not wish to engage in a line of policy the danger of which he has probably divined. I find the general opinion in Rome to be that a change in the political and territorial condition of Morocco, through French influence, would be fatal to the present Italian Government, in the same way that the fall of the Caroli Administration was brought about, by the unexpected change in the relations of Tunis.

[1447]

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M. Mancini's speech, however, should anything of the kind occur, would serve to show that the Italian Government has not been taken by surprise, and did what it could to prevent it.

I have, &c.
(Signed) J. SAVILE LUMLEY.

No. 199.

Sir J. Drummond Hay to Earl Granville.—(Received June 23.)

(No. 63.)

My Lord,

Tangier, June 16, 1884.

I HAVE the honour to inclose the local paper "Al-moghreb Al-aksa," of the 15th instant, which contains a leading article sketching the aims France has in view, which is deserving of attention.

As I have such slender assistance in my chancery, I am unable to transmit a translation of this article.

I have, &c.
(Signed) J. H. DRUMMOND HAY.

Inclosure in No. 199.

Précis of an Article in the "Al-moghreb Al-aksa" of June 15, 1884.

THE aim pursued by France in Morocco is that which for years has guided her policy in North Africa, namely, the establishment of a closer connection between her two great African Colonies of Algeria and Senegal, and securing the possibility of a railroad across the Sahara, which should give her the monopoly of the commerce which proceeds by way of Tunis, Tripoli, and Egypt, from the Soudan, the territory of Bambara, and the desert.

With this end in view, she intrigues constantly with the different tribes of Morocco, appealing to their religious sentiments, and offering them the advantages of rapid communication by canal and railway, at the same time that she extends her line of railway in Senegal towards the interior—which she can do without exciting either opposition or remark.

In Morocco she is hampered by other European interests. But she is able to distract the attention of England by a skilful use of the latter's Egyptian difficulties; and to quiet Germany by holding out to her the promise of a naval station on the north or south of the Empire of Morocco. To Spain she offers an extension of her possessions on the Riff, expecting, in return, that she may be allowed to push forward the frontier of Algeria, and extend the Algerian line as far as Fez and Mequinez, by which route it would be carried to Timbuctoo and Senegal, thus avoiding the difficulties offered by the desert, by following the valley of the River Drâa.

—With a view to forcing the Sultan to make these concessions she is constantly taking Moorish subjects under her protection.

What is the Sultan to do in view of this menacing attitude of France? He knows the wide-spread discontent among his subjects—the effect of the iniquities of the present Government—and the readiness with which they would join any cause hostile to him; and he is conscious that if a Potentate, like the Shereef of Wazan, invested with the protection of France, as well as the sanctity of his own person, declares against him, the institutions and even the reigning dynasty of Morocco run the gravest risk.

In view of this the Sultan has appealed (as stated in the "Standard") to the Signatory Powers of the Convention of Madrid, and on their answer depends the fate of the Empire of Morocco.

No. 200.

Mr. de Bunsen to Earl Granville.—(Received June 25.)

(No. 71.)

My Lord,

Madrid, June 22, 1884.

ON the 20th instant the Minister of State replied, in the Chamber of Deputies, to a request which had been made, on the previous day, by the Marquis de la Vega de Armijo, that the Government would publish a Red Book containing the diplomatic correspondence which had passed since the close of the last Cortes, or would, at least, submit to the Chamber documents relating to recent events in Morocco, thus enabling Deputies to discuss the policy of the Government in the course of the debate on the address.

Señor Elduayen said it was not the intention of the Government to publish a Red Book, inasmuch as such a publication could serve no useful purpose at the present time. His Excellency further declined to produce the papers in his possession having reference to Morocco, on the ground that they were all of a confidential character, and that Her Majesty's Government, as well as that of Italy, had already returned a negative answer to similar appeals. The Marquis de la Vega de Armijo might, however, rest assured that the Government had fully maintained the dignity and just rights of Spain in Morocco. The whole question would, doubtless, be brought before the Cortes during the debate on the Address, and the Government would then be able to show "that the important objects of Spanish policy in that country had hitherto never been more securely guarded than they now were, and that, so far, there was no ground for the slightest apprehension or suspicion that any one of those objects, so sacred to every Spaniard, was threatened or endangered."

The Marquis de la Vega de Armijo endeavoured in vain to elicit any information as to the policy which the Government had pursued. The Minister of State declared that he could only assure the Marquis that they had every reason to be fully satisfied with the explanations which had been made by France as regarded her intentions with reference to Morocco.

I venture to observe that Señor Elduayen has assumed, in his declarations before the Chamber of Deputies, a tone of confidence which is completely at variance with the language which his Excellency has held in conversation with me, as reported to your Lordship in my despatch No. 55, Confidential, of the 8th ultimo.

I have, &c.
(Signed) MAURICE DE BUNSEN.

No. 201.

Mr. Reade to Earl Granville.—(Received June 26.)

(No. 28.)

My Lord,

Tunis, June 17, 1884.

WITH reference to my telegram No. 16 of the 5th ultimo, reporting the award which has been rendered by the arbitrators in the case of the Franco-English Tunisian Esparto Fibre Supply Company (Limited) v. the Tunisian Government, I have the honour to transmit a copy of that award to your Lordship's Office.

I have, &c.
(Signed) THOS. F. READE.

Inclosure in No. 201.

Sentence of Arbitrators in case of Esparto Company v. Tunisian Government.

LA Commission instituée par le Gouvernement de France et de la Grande-Bretagne, pour statuer sur les contestations pendantes entre le Gouvernement Tunisien et les sujets ou protégés Britanniques, et composée de Sir Adrian Dingli, Président de la Cour d'Appel de Malte, et M. de Blignières, ancien Contrôleur-Général des Finances en Égypte, nommés par leurs Gouvernements respectifs;

Vu les actes de procuration qui autorisent le Dr. Alfred Mattei et Mr. Edward Jordan Hough, à représenter la Société nommée "The Franco-English Tunisian Esparto Fibre Supply Company (Limited)";

Vu l'Acte du 1^{er} Mai, 1884, par lequel les dits MM. Mattei et Hough, pour la Com-

pagnie, et le Général Si Mohamed El Aziz Ben Attour, Premier Ministre pour le Gouvernement Tunisien, se sont engagés à se conformer à la décision de la Commission, qui statuera en dernier ressort ;

Vu la requête présentée à la Commission par MM. Mattei et Hough : (1) pour qu'il soit déclaré que le Gouvernement Tunisien s'est opposé sans droit à la construction d'un tramway que la Compagnie avait le droit de construire en vertu de la concession que Son Altesse le Bey, par Décret du 2 Juin, 1881, avait faite à M. René Duplessis, et que celui-ci transféra à la Compagnie ; que cette opposition était finale et définitive ; et que le Gouvernement Tunisien s'est rendu par là redevable de dommages-intérêts ; (2) pour qu'en conséquence, le Gouvernement soit condamné à payer à la Compagnie soit la somme de 390,000L., monnaie Britannique, montant de dix ans de profit qui, par l'exploitation de la Concession, auraient pu être acquis, la Concession même demeurant annulée, soit 93,315L. pour dépenses et pertes subies, la Compagnie, dans ce cas restant dans la position où elle était le 2 Février, 1883, date de la soumission du projet du tramway ;

Vu les conclusions présentées pour le Gouvernement Tunisien par M. Grand, Directeur des Travaux Publics en Tunisie, demandant qu'il soit déclaré que la Compagnie n'ayant jamais soumis au Gouvernement un projet contenant les documents exigés par l'Article 2 du Cahier des Charges annexé au Contrat signé le 14 Juin, 1882, par le Premier Ministre du Bey d'une part, et M. Duplessis de l'autre part, n'a jamais fait une demande régulière pour l'approbation d'aucun projet, et qu'en conséquence, elle est mal fondée dans sa demande ;

Vu les pièces produites par les parties à l'appui de leurs demandes ;

Oùis MM. Mattei et Hough pour la Compagnie, et M. Grand pour le Gouvernement ;

Où aussi M. Nouetta, ingénieur, produit par MM. Mattei et Hough, pour donner à la Commission des explications sur leur projet ;

Attendu que les questions soulevées pour la requête et les conclusions sus-mencionnées sont—

1. La Compagnie est-elle libre de construire un tramway de la façon plus convenable à ses intérêts, sans égard à l'usage que le Gouvernement pourrait, dans la suite, désirer en faire ?

2. A-t-elle demandé l'approbation de son projet, aux termes de son obligation à cet égard ?

Et que les questions subordonnées à la résolution de ces points sont :

3. Le Gouvernement s'est-il rendu responsable en dommages-intérêts ?

4. La Compagnie doit-elle être remise dans la condition où elle était le 2 Février, 1883, date de la lettre de M. Mattei, au Ministre Resident de France à Tunis, sur le projet de la construction d'un tramway ?

Question Première.—Attendu que par le Décret du 15 Rejeb, 1298 (12 Juin, 1881), Son Altesse le Bey accorda à M. René Duplessis, le droit d'extraire l'alfa (esparto) de diverses montagnes, et "la permission de tracer une route le long de ces montagnes, aboutissant au port de Marsa Skira, à la condition qu'elle servira uniquement au transport de l'alfa, et cela, soit au moyen d'un chemin de fer, soit encore au moyen d'un tramway destiné à l'exploitation sus-indiquée."

Que, par le Contrat du 29 Rejeb, 1299 (14 Juin, 1882), contenant les conditions d'application du Décret susdit, il a été convenu ce qui suit :—

"Art. 2. Le chemin de fer que le concessionnaire aura la faculté d'établir, et qui est prévu par l'Amra (Décret) Beylical du 15 Rejeb, 1298, pourra être, quant au présent, absolument affecté au transport de l'alfa. Il sera, en conséquence, construit, et son matériel sera établi en raison des nécessités que comporte l'exploitation de la Concession.

"Toutefois, le Gouvernement se réserve d'exiger ultérieurement sur le chemin de fer établi dans les conditions qui viennent d'être énoncées, et dès que la nécessité en sera reconnue après enquête, l'établissement soit d'un service public, soit d'un service de marchandises, soit d'un service de voyageurs, soit d'un service de voyageurs et de marchandises.

Le Cahier des Charges annexé au présent Décret détermine les clauses et les conditions auxquelles sera soumis le concessionnaire pour la construction et l'exploitation du chemin de fer."

Que dans l'Article 14 du Cahier des Charges il est dit :—

"Le chemin de fer sera à traction des machines locomotives. Toutefois, le concessionnaire pourra dans tous les cas pour le transport de l'alfa, et, en cas de nécessité reconnue, pour le service public, employer d'autres modes de traction."

Attendu qu'évidemment le Décret du 12 Juin, 1881, laissait le concessionnaire

parfaitement libre dans le choix de l'espèce de voie ferrée qu'il jugerait convenable à ses intérêts, pour l'exploitation de la Concession, sans égard à d'autres services.

Que le Contrat du 14 Juin, destiné, comme il y est dit, à établir les conditions d'application du Décret, doit être strictement interprété, et que dans le doute la Convention s'interprète contre celui qui a stipulé et en faveur de celui qui a contracté l'obligation.

Que ni dans l'Article sus-indiqué, ni dans aucune autre partie de ce Contrat, ne se trouve clairement et incontestablement imposée au concessionnaire aucune obligation de construire une voie ferrée dans des conditions plus onéreuses que celles qu'exige l'exploitation de la Concession.

Que l'obligation du concessionnaire, résultant de ces deux actes en faveur du Gouvernement, est celle de lui permettre de faire usage, pour un service public, de la voie ferrée, quelle qu'elle soit ; et qu'il ne résulte pas de là aucun droit pour le Gouvernement d'exiger que la voie ferrée soit construite en vue de ce service éventuel.

Question Deuxième.—Attendu que les Articles 1^{er}, 2^e, et 14^e, du Cahier des Charges, sont ainsi conçus.

Art. 1.—

Art. 2.—

Art. 14.—

Que les clauses susdites se rapportent à toute espèce de voie ferrée que le concessionnaire choisirait, quelle qu'en soit l'espèce.

Que la Compagnie, en demandant l'approbation d'un projet d'un tramway, n'a pas fourni les documents qu'elle devait produire, la pièce jointe à la lettre que M. Mattei, le 2 Février, 1883, adressa à son Excellence M. Cambon, et les dessins soumis ensuite au Directeur des Travaux Publics ne satisfaisant point (selon l'avis même de M. Nouette) aux prescriptions du Cahier des Charges.

Que, par conséquent, il faut retenir que la Compagnie n'a pas encore fait une demande régulière pour l'approbation de son projet.

Question Troisième.—Attendu que le Gouvernement n'ayant, par le motif qui précède, manqué à aucune obligation, la demande de la Compagnie pour dommages-intérêts est mal fondée.

Question Quatrième.—Attendu que plusieurs mois se sont écoulés pendant les pourparlers qui suivirent la lettre susdite du 2 Février, 1883.

Que dans la correspondance et les entrevues qui ont eu lieu entre les parties, les concessionnaires n'ont pas été mis en demeure de se conformer aux prescriptions de l'Article 2 du Cahier des Charges, et que, par conséquent, si pour le temps perdu dans ces pourparlers la Compagnie n'a pas droit à compensation à la charge du Gouvernement, elle est cependant bien fondée dans sa demande d'être remise dans la condition où elle était à la date sus-indiquée, du 2 Février, 1883.

Déclare,

1. Que la Compagnie, si elle construit une voie ferrée, n'est pas tenue de la construire dans des conditions plus onéreuses que ne l'exige l'exploitation de la Concession.

2. Qu'elle est tenue, quelle que soit l'espèce de voie ferrée qu'elle choisisse, de soumettre, pour l'approbation du Gouvernement Tunisien, un plan avec les renseignements nécessaires aux termes de l'Article 2 du Cahier des Charges, selon l'espèce de voie ferrée qu'elle proposera.

3. Que la demande de la Compagnie pour dommages-intérêts est mal fondée, et qu'en conséquence elle en est déboutée.

4. Que, s'il y aura lieu à l'application de la Clause du contrat du 14 Juin, 1882, par laquelle, en défaut d'exploitation de 10,000 tonnes d'alfa pendant trois ans consécutifs, le concessionnaire serait déchu, dans le calcul des trois ans à partir de la date de la Concession, les quatorze mois écoulés du 1^{er} Mars, 1883, au 30 Avril, 1884, ne doivent pas être comptés.

Déclare, en outre, la Compagnie mal fondée dans le surplus de ses demandes, et l'en déboute.

Dit que chacune des parties supportera les dépenses faites par elle-même, et que les frais de l'arbitrage selon le compte que les arbitres remettront au Gouvernement, seront payés par le Gouvernement même, qui aura le droit d'en réclamer la moitié à la susdite Compagnie.

La présente sentence, en double original, sera déposée à la Résidence Française et à

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l'Agence et au Consulat-Général de Sa Majesté la Reine d'Angleterre, où les parties pourront en demander copie.

Fait en double expédition, à Tunis, le 5 Mai, 1884.

(Signé)

G. DE BLIGNIÈRES.
A. DINGLI.

No. 202.

*Earl Granville to Mr. de Bunsen.**

(No. 84.)

Sir,

Foreign Office, June 27, 1884.

I TRANSMIT herewith, for your information, the accompanying copies of despatches which I have received from Her Majesty's Ambassador at Rome relative to France and Morocco.†

I am, &c.

(Signed) GRANVILLE.

No. 203.

Sir J. Drummond Hay to Earl Granville.—(Received June 28.)

(No. 66.)

My Lord,

Tangier, June 20, 1884.

M. TAIRRA, the Spanish Chargé d'Affaires, informed me, in the course of conversation, that M. Ordega had observed to him that M. Diosdado, on his return to Tangier, would adopt a policy entirely different from that he had hitherto pursued, and that the action of the Spanish and French Legations would be identic in all matters.

I inquired of M. Tairra whether he had received instructions from his Government which confirmed this statement. He said he had not.

I observed that the local journal, the "Réveil du Maroc," the mouth-piece of M. Ordega, in proclaiming the beneficial results which, it alleges, have been produced by the policy he has pursued, has never ceased to attack the conduct of the British Government and their Representative, which it declares has been obstructive and opposed to the introduction of reforms and improvements, and to assert that I have supported the Moorish Government in their system of misgovernment. These unfounded and malignant allegations, I added, have been echoed by the "Débats" and other journals, whereas it must be known to those who are disinterested observers of my conduct that I have never ceased to use my utmost efforts to introduce reforms and improvements into the country, and that the concessions which have been made to commerce have been obtained by me unaided by other Representatives.

I remarked that if the alleged altered policy which the Spanish Government intend to pursue is to unite with France in urging the Sultan to introduce reforms and improvements, or even to alter the present deplorable system of Government, they would only be commencing to do that which Her Majesty's Government have approved of my attempting to do during the last forty years, and therefore their policy would be identic with our own. If, on the other hand, their united action would have in view to obtain territorial aggrandizement, according to a preconcerted arrangement, it would be a policy which I could not support without special instructions to that effect from Her Majesty's Government. There the conversation dropped.

I take this opportunity of expressing a hope that, as the late proceedings of France in Morocco have attracted the attention of foreign Governments, and of the public in general, and as very erroneous impressions have no doubt been left on the minds of statesmen and others regarding the policy which, it has been declared so explicitly and so repeatedly in public journals, has been pursued by Her Majesty's Government, and by me as their Representative, in Morocco, some step be taken by a communication to the foreign Governments interested in these questions to remove this impression, and to give a distinct denial to the malevolent accusations, which have led the world to suppose that the alleged civilizing action of France has ever been combated by the British Representative with the sanction of Her Majesty's Government; and further, if your Lordship sees no objection, that, in justice to myself, publicity in some form be given to such a communication. As matters now stand, I am held up to foreign

* Also to Sir J. Drummond Hay, No. 22.

† Nos. 197 and 198.

Governments and to the public, after my long and arduous services, as being the sole cause of the barbarism and degraded state of Morocco, while M. Ordega, who has put forth these calumnies, has received honours and promotion from his Government.

I have, &c.

(Signed) J. H. DRUMMOND HAY.

No. 204.

Mr. Reade to Earl Granville.—(Received June 29.)

(No. 29.)

My Lord,

Tunis, June 23, 1884.

I HAVE the honour to acknowledge the receipt of Mr. Under-Secretary Lister's despatch No. 23 of the 3rd instant, inclosing, for my information, copy of a despatch from the Chargé d'Affaires at Athens, with reference to the difficulty existing between General Benayad and a Greek subject named Gringa respecting the proprietorship of a piece of ground in this city.

By that despatch I am informed that the Greek Government has not the means of compelling the said Mr. Gringa to comply with the wishes or instructions it had notified for settlement of the difficulty, and that Mr. Gringa "declines to admit any other arbiter in the matter than the competent Tribunals," by which, I presume he means the French Tribunals.

Mr. Gringa knows very well that the only Tribunal competent to decide questions as to the validity of title-deeds of real property in this country is that of the "Sheraa," and that, by leaving the matter to be dealt with by the French Courts, he is not likely—for, to say the least, an indefinite period—to be disturbed in the possession of the property he has so illegally and so shamefully usurped.

For these reasons, and in view of the effect which a solution of the present difficulty would undoubtedly have had upon several other cases of a similar kind which it has not been possible to bring to an issue by reference to the French Courts, it is to be regretted that, when yielding its Consular jurisdiction to France, the Greek Government did not reserve to itself the right of dealing with cases which were at the time pending in the manner it might think proper.

I need hardly add I have communicated to General Benayad the substance of Mr. Nicolson's despatch.

I have, &c.

(Signed) THOS. F. READE.

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